Discrimination — 1932

Alabama

Negro Lad Banned From Exhibit of Own Painting

(Special to the Daily Worker)

BIRMINGHAM, Ala., Jan. 28.—A disconsolate Negro youngster cheered up a few days ago by acceptance of his landscape painting by the Public Library for an exhibit here, was buoyed up again today.

He learned that a group of prominent white artists of this Southern city had enlisted in the fight to win permission for the 15-year-old Negro lad to visit the exhibit of his own work in the library, up to now taboo for Negro visitors.

The talented boy, Augustus Williams, submitted his painting to the Birmingham Public Library for its exhibit by child artists, part of an international show now being held throughout the country.

Officials of the show recognized an unusual talent in the boy's work and Augustus got a note telling him his work had been put on display. He beamed as he showed the letter to his family.

Naturally, Augustus wished to see his painting on exhibit and went to the Library together with a white friend.

But officials refused to let him enter. The century-old Jim Crow laws still held even though the Negro lad had his painting on display. Augustus was downcast.

Today, however, news that several white artists have joined in the battle against the Jim Crow rule brought smiles back to Augustus' face.

MAYOR OF TOWN IS 'GLAD TO ASSIST'

TUSKEGEE, Jan. 27—(By ANP) — For the first time Negroes have crashed the color bar at the city auditorium in Montgomery, once capital of the Confederacy, to see a play and have been offered a similar opportunity in the future. The occasion was the presentation of the Hart-Kaufmann Broadway hit, "You Can't Take It With You." Saunders H. Walker, director of the Little Theater at Tuskegee and teacher of dramatics, had just presented "The Show Off," and wanted to take a group of students to see the show at Montgomery.

But when he wrote the manager of the city auditorium, there came a prompt reply stating "no provision has been made for colored," but that arrangements might be made for Mr. Walker personally to go backstage. Dissatisfied, the dramatics teacher and an English instructor telephoned long distance to Mayor Ginter of Montgomery who promised to "look into the matter" and call them back next day.

He did, and said, "We will be happy to arranye seats for your stodents. How many will be in yoor party? Perhaps it woold be well for us to provide for 50. Possibly some from the Negro State Teachers' college would like to attend. You can obtain tickets at the box office just to the left of the entrdance."

"Mr. Walker replied, "We certainly thank you, Mayor Gunter." And the mayor answered, "I thank you. I am very glad you called me."

A part of 16 teachers and students from Tuskegee, and eigh from Montgomery Teachers' attended the performance. According to them, they were treated with as much courtesy by employes as they would receive in New York. White members of the audience were as polite as if the colored group wre of their race. A part of the balcony had been "set aside," but when that section was filled, they were seated in the right balcony.

At the close of the performance, the manager told Mr. Walker that Helen Hayes would be in the auditorium at an early date and said he hoped the Tuskegee group would attend the show.

Several Dozen Persons Say They Were Beaten In Stores

BIRMINGHAM, Ala.—(SNS)—Colored citizens were aroused to action this week following reports that several dozen colored persons had been beaten in down - town stores and by police officers without cause. The Birmingham branch of the N.A.A.C.P. took the lead in advising and aiding persons who made such beatings" known.

Among the persons who accused officers of beating them were: Willie Stanley Burks, 18, of 905 Ave. G., Pratt City, and Charlette Thornton, 24, of 113 Fayette St., Pratt City. The pair accused officers of deliberately beating them up on March 18. According to the pair, Officers Hosey Larry and John Walthal stopped them about 9 p.m. on the March date and following a search "hit in" and beat them unmercifully after which a charge of disorderly conduct was lodged against them.

The case came up in recorder's court, Ensley, on March 22 and when the arresting officers learned that the defendants would be represented by council asked for a week's continuance. The pair had reported their plight to the N.A.A.C.P., which advised them to plead "not guilty" to charges made by the officers.

The case came up again last Tuesday with Attorney McCloud representing the colored youths. He is a member of the law firm of Beddow and Ray. Judge Wells heard the case and ordered the defendants released.

Citizens were aroused on two successive Saturday's when it was learned that a girl, reported to be a "half-wit," and a boy were beaten by the manager of a department store. A reporter called at the store to "hear the store's side," but the official refused to discuss the case. He stated that he was not interested. The trouble started in the basement of the store. A grocery department located on an upstairs floor is owned by a well known chain and has a policy of making persons pay for the goods that they are caught stealing. They have been highly successful with their policy.

A fashionable store's floor manager recently forced a colored worker to resign because of his advances, according to the young lady who is a college graduate. When she refused to "cooperate with him" he attempted to frame her by accusing her of "stealing a suit," according to information from the young woman. She stated to investigating officers that the suit that the manager had accused her of taking was not in stock at the time his accusation was made. The floor manager had recently joined the store.

In an interview with the owner of the fashionable store, a WORLD reporter was informed that the young lady was well liked and efficient. The owner stated that he had offered to give her a recommendation and would consider rehiring her.

She quit her job here; we did not let her out. Had she come to me sooner I would have spoken to the manager," said the owner.

He expressed a desire to see her on another good job and offered his aid.

Two Birmingham officers recently heard the chief say that officers owed protection to all citizens alike. He warned them to stop beating colored persons and asked that all cases be reported to him. The case involved a 17-year-old Miles College student.

The N.A.A.C.P. issued a statement following the Ensley trial for all persons who are beaten without cause to file their case with the local branch for investigation.

"Police brutality must stop," said W. E. Shortridge, president of the Birmingham Branch.

LITTLE ROCK RAPS EDITORIAL ASSN. JIM-CROW

Prefers Meeting to Go Elsewhere

LITTLE ROCK, Nov. 23—(ANP)—Little Rock educational circles, that is, the white portion of them, have sent two delegates to the convention of the National Scholastic Press association, meeting in Indianapolis this week, to extend an invitation to the organization to hold its meeting here in 1939. The body is composed of editors of high school papers.

Learning that the white hosts were planning to entertain the 1,700 young white editors in grand style in the Little Rock high school and the new Municipal auditorium, but that they figured on entertaining whatever colored youth came in a special session at Dunbar high school, the colored teachers' association sent a telegram of protest to Fred Kildow, national director of the organization. The telegram disapproved the holding of the convention in any city where full and equal accommodations for both races could not be had.

Youth Cong. in Ark. Fights Discrimination

LITTLE ROCK, Ark.—(ANP) Negro members of the American Youth congress are vigorously opposing the efforts on the part of white members of the organization to segregate Negroes when two prominent Chinese visit here Dec. 1. Dr. Yin and Miss Liu delegates to the recent international youth conference held at Vassar college, are touring the country in the interest of youth relief in China and for the purpose of making folk more conscious of what is going on in China.

The white committee locally called a meeting of Youth Congress leaders to plan out the reception for the distinguished Chinese. J. R. Wilson and Miss L. M. Weaver, both teachers in the Dunbar high school, attended and protested when they learned the whites proposed to have a separate meeting for whites and colored. They pointed out that the meeting was one of interracial and international amity and they felt there should be unity and no discrimination of any sort. Wilson and Miss Weaver pointed out that in Washington, D. C., Greensboro, North Carolina, and other southern points, the groups had met together; Durham, N. C., where a colored and white church were used being the only exception. The committee has not finally decided what course it will pursue.

Discrimination - 1938

California

PROTEST JIM-CROW TACTICS OF HOTEL

Courier

700 Delegates Move to Leave San Francisco Hotel when Race Man Is Refused Room —And They Do.

9-3-38

SAN FRANCISCO, Sept. 1—(ANP)—An outstanding example of trades union solidarity in the fight against Negro discrimination was given by the convention of the Hotel and Restaurant Employees International Alliance and Bartenders International League of America, A. F. of L, just closed here last week.

The 700 delegates to the convention voted unanimously to move out of San Francisco's Whitcomb Hotel, where headquarters had been established when the convention opened August 15, when it was found that the management refused rooms to Negro delegates.

News of the incident was received in this city early this week by Hotel and Club Employees Union, Local No. 6, affiliated with the International.

REFUSED A ROOM

One of those refused a room was Executive Secretary Ishmael Flory, of the National Council, Dining Car Employees Union. A group of Negro delegates was told by the management there was "no room" to accommodate them. The report to the convention said shortly afterwards, white patrons were engaging rooms without difficulty.

Manning Johnson, Negro business agent of Cafeteria Employees Union, Local 302, brought the matter before the convention on a question of special privilege. The vote to move followed and soon not a delegate remained at the Whitcomb Hotel.

NEGRO VICE-PRESIDENT

Edward Flore, incumbent, was re-elected president and Robert Hosketh was re-elected secretary-treasurer. The executive board was ordered enlarged from nine to 15.

Among the new vice-presidents elected is E. Brown, Negro, to represent the Railway Division Union of New York.

Included in the important measures adopted by the convention were those calling for unity between the Committee for Industrial Organization and the American Federation of Labor; for Constitutional amendments to eliminate the color bar and any form of Jim-Crowism in the International.

Two Different Ways Of Meeting Jim-Crow

Daily Worker

Butler Yields to Request to Bench Negro Star, But Santa Barbara Tells Texas Mines 'Not a Chance'

By Bill Mills

'Ray for Santa Barbara State College and scallions to both Butler University and George Washington University! Santa Barbara, a small California school, had the courage to cancel a game with Texas Mines College at El Paso, while Butler, on demand from George Washington, benched Tom Harding, Negro star.

10-18-38

New York

Upon learning that Santa Barbara had two Negro players in the lineup, Texas Mines immediately demanded their withdrawal. Texas Coach Mack Saxon admitted that Negro players may be used in games against Texas teams outside of the state, but based his withdrawal demand upon the fact that Negroes have never played against whites in Texas. Don Follet, graduate manager of Santa Barbara refused the Jim Crow request and promptly cancelled the game.

An altogether different course was followed by the officials of Butler and George Washington. Max Farrington, head of George Washington athletic department, submitted his jum-crow demand against the use of Tom Harding and it was granted. When asked why Butler did not cancel the game, Paul Henkle, Butler graduate manager, gave as his excuse the fact that Butler had to live up to contract obligations. Not only was Harding barred from the game, he was also jim-crowed at the Burlington Hotel where Butler players were scheduled to stay in Washington and had to find separate accomodations at the Whitelaw Hotel.

Last year the same George Washington cancelled a beautiful game with Long Island University on account of the presence of Dolly King, a Negro in the New York quintet's line-up. This was after King had led his team to victory in a New York game.

Officials of Texas Mines and George Washington U. overlooked the fact that Southern Methodist of Texas and North Carolina, both played against teams having Negro players last year. Southern Methodist played U. C. L. A. while North Carolina met N.Y.U. S.M.U. and North Carolina won the games, but, when they returned to Dixie, North Carolina players voted Ed Williams, Negro fullback of N.Y.U., the best opposing back they had encountered all season and S.M.U. players did likewise for Kenny Washington, Negro ace of U.C.L.A.

And now we salute little Santa Barbara College for upholding the American Tradition of sportsmanship.

DISCRIMINATION- 1938

COLORADO

13 Denver Hotels Slam Doors In Langston Hughes' Face

DENVER, Dec. 2—(ANP)—Thirteen Denver hotels, the leading ones in the city, refused all requests ot the Film and Book club's reception committee for accomodations for the noted writers, Langston Hughes and Arna Bontemps, who visited Denver last week on their transcontinental lecture tour, enroute to Los Angeles where they are to lecture at Hollywood high school, Jefferson high school and other educational centers in Southern California.

Mr. Hughes and Mr. Bontemps are lecturing under the auspices of the Library and Text Book section of the Los Angeles Board of Education, under provisions of a fund established by the Fillipa Pollia foundation. In Denver they spoke at the Women's club for the Film and Book club, and were entertained by the World Poetry union at the Women's Press club. The Omega Psi Phi fraternity gave a smoker for Langston Hughes.

The writers were also feted by numerous other literary and civic groups, including the Coterie club one of Denver's oldest organizations of colored women. They were guests of the Glenarm Branch YMCA, whose secretary is Leon Stewart. Both writers were interviewed over Station KOA of the National Broadcasting company, Arna Bontemps being guest of honor for the weekly library hour devoted to children's books, and Langston Hughes for a literary interview preceding their joint lecture.

12-10-38

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Discrimination – 1938

Connecticut.

WHITE YOUTHS VOTE BOYCOTT OF BEACH FOR DISCRIMINATING AGAINST 2 NEGROES

Delegates to Youth Conference Demand Refund and Shift Session to Another Beach.

BRANFORD, Conn., July 28—Two Negro delegates to a conference of the executive committee of the Connecticut Conference of Youth were denied admission at the Double "O" Beach, where the conference was slated to be held last Sunday.

Half of the delegates, mostly females, had already paid the admission fee and had entered the beach premises when apprised that two of the delegates had been discriminated against. It was explained that the beach is under private management, but the white delegates promptly demanded their money back, and the entire delegation then motored to the Momauguin Beach, a short distance away, where the conference was finally held after the two Negro delegates had been accommodated.

The delegates objected to were Miss Constance J. Baker of 52 Dickerman street and James N. Powell of 93 Eaton street, both of New Haven. Powell is vice president of the New Haven unit of the Youth Conference. The white members voted to boycott the Double "O" beach hereafter.

REFUSED SERVICE AT SWANK ICE CREAM PARLOR. YOUTH HAS OWNER ARRESTED

Discrimination Flares Up In Stamford, Conn.—Whites Aid Colored Youth Who Was Ignored By Waiters.

STAMFORD, Conn., July 28—Gerald W. Hatch, manager of Hatch's Confectionery store, Stamford's most exclusive ice cream parlor, was arrested Monday on charges of violating a State Statute making it a misdemeanor to discriminate because of color.

Hatch was arrested on complaint of Marzan Clayburn, Stamford Negro. 7-30-38

The store manager posted bond for trial in Stamford City Court next week. The warrant was issued by Prosecutor Peter Ryan.

Clayburn told Prosecutor Ryan he had been refused service at the store on previous occasions. On Saturday, Clayburn entered the store with several white companions, all of whom are members of the Stamford Youth Club. Clayburn sat at a table for a half hour and was ignored by the waiters. He finally summoned one of the waiters and asked for service. The waiter refused to take his order saying that Hatch had instructed him not to serve Negroes.

Clayburn then left the store, and after a consultation with Attorney Samuel Gruber, counsel for the Youth Club, he complained to Prosecutor Ryan. Clayburn was accompanied to the prosecutor's office by Joseph Fine, the club president. Hatch's arrest is based on Section 1676-C of State Statutes, which requires stores and restaurants to provide service and accommodations without restriction to color, race or creed.

Discrimination—1938

D.C.

Charge Jim Crow Among Social Security Workers

WASHINGTON, D. C.—A case of racial discrimination is alleged by the United Federal Workers of America, Local No. 17, in the Social Security Board Operations Division at Baltimore.

The issue involves five colored sorting machine operators, who, the union claims, have not been classified according to their merits.

"This case of discrimination against clerks because of color is not a new problem in the Civil Service," declared Albert Benjamin president of Local No. 17, in commenting on the case.

"A continuation of this practice of discrimination because of race," he said, presents a serious danger to the merit system. Where discrimination is possible because of color, it is also possible because of religion, national or sectional origins or because of personal bias."

Probing Jim Crow In Civil Service

WASHINGTON, D. C., Sept.—(ANP)—Headed by President Mary McLeod Bethune, the National Council of Negro Women, through its Washington office is making an investigation of alleged discrimination against Negroes in Federal Civil Service. The report is being prepared for the Civil Service Commission which has asked for specific data and cases. Asking the cooperation of all agencies interested, President Bethune said:

"It is necessary that each case be supported by sworn affidavit. This, of course, eliminates hearsay and persons reporting cases which cannot be supported by facts. A commission has been appointed headed by U. S. Senator Ellender, etc."

Claims FHA Bars Negroes

WASHINGTON, D. C., Oct. 19—Complaint that the Federal Housing Administration is making it difficult for Negro home buyers or builders to secure FHA guarantees of mortgages unless the homes are to be in a strictly jim crow Negro district was lodged here this week with Stewart McDonald FHA director, by the N A A C P.

The N.A.A.C.P. letter, said the association had received numerous complaints from over the country, and recently from points in New York state and New York City indicating that the FHA was assisting local banks and finance companies in jim crowing Negroes.

Contractor Turned Down

A New York contractor complained that he had been turned down at first on a housing development for Negroes when he had stated the district already was 30% Negro. The FHA is said to have felt that this area was "too white" to have a Negro settlement started in it. Later his plan was approved.

Individual Negroes who have the money and the steady employment to finance homes are being turned down on FHA mortgages the N.A.A.C.P. said, if their homes are to be outside what is considered locally as the "Negro district."

Even where the homes are to be in a Negro neihborhood, colored people are having the greatest difficulty financing their property, the leter said.

Shouldn't Use Tax Money

"We do not believe" the letter stated, "that the federal government, through one of its agencies, should use the public tax money to restrict, instead of extend opportunities for home ownerships, and to enforce patterns of racial segregation."

Director McDonald was asked to state whetther the FHA is pursuing any policy to 'regulate or restrict the purchase of homes by Negroe citziens."

Racial 'Repairs'

There's been no public fuss about it but racial troubles like those in the House restaurant four years ago are still plaguing capital cafés. The door of the Library of Congress restaurant now bears a sign "Closed for Repairs," but no workmen are around. The story is: Representative Mitchell of Chicago, only Negro Congressman, found the library food tasty and began taking friends there with him. Southern diners protested, and the embarrassed management closed the room temporarily.

REFUTES ARTICLE OF WHITE WRITER

Lawyer Says Colored People Do Not Eat In Separate Dining Room At U. S. Supreme Court Building.

WASHINGTON, Nov. 3—Lawyers who have business at the United States Supreme Court and use dining room there took exceptions to an item appearing in a column conducted by Heywood Broun in a local daily paper.

He said colored persons eating in the cafeteria usually use a separate dining room, but now and then a colored lawyer would "troop" in and attract the attention of other diners.

ONLY TWO ROOMS IN WHICH PUBLIC EATS

Charles H. Houston, a member of the Supreme Court, who dines in the cafeteria there occasionally, wrote Mr. Broun that as far as he knows there are only two rooms in which the public eats in the Supreme Court building. The first room is the cafeteria proper, which has a steam table and counter. The other room is an overflow room on the west half of which are tables where a person who does not want to carry a tray may sit and have a waiter serve him.

Behind a partition, employes of the building, guards, messengers, waiters and cafeteria employes, both white and colored, eat. "I have never seen any persons other than employes of the building eating behind the partition," said Mr. Houston. "Where is the separate Negro dining room about which you speak?" he asked. "Does it exist or is it a suggestion on your part?

HOUSTON ASKS SOME PERTINENT QUESTIONS

"May I inquire why you have to make Negro lawyers 'troop' into the dining room?" asked Mr. Houston. "I am a Negro lawyer," he added, "and I have eaten lunch in the cafeteria upon frequent occasions when I have had business at the court ever since the building opened. So far as I know, I have never 'trooped' into the dining room. I have never seen any other Negro lawyer or other Negro 'troop' into the dining room.

"I usually sit in the overflow dining room where I can get service because I prefer table service to carrying a tray. I have taken friends to eat in the dining room and have seen other Negroes eating there on many occasions without attracting any more attention than any other diners.

"It is not a question of us Negro lawyers having sufficiently good taste not to press the point of eating in the dining room; it is a question of being hungry and wanting to get food cheaply and conveniently and getting back to work as soon as possible."

Twenty Boxers Rejected For D. C. Tournament

Patterson Papers Still Hold Out Against Colored

WASHINGTON, D. C. — The Patterson papers are still holding out against the entry of colored amateurs in their Golden Gloves boxing tournament which began Wednesday night of last week.

Applications were filed by 20 boxers from the Twelfth Street Branch YMCA last Monday night, but were rejected.

The Patterson papers favor separate tournaments—one for the white boys and one for the colored. The physical education committee of the Twelfth Street Branch YMCA is insisting upon a mixed tournament or the winners of separate tournaments meeting in final matches for the selection of a team to represent Washington in the national tournament to be held in March.

SEND PETITION

In the meantime, a petition signed by representatives of several organizations urging the admission of colored boys to the Golden Gloves tournament was sent to the sports editor of the Washington Herald, one of the Patterson papers.

The petition reads as follows:

"In view of the achievements of the Times-Herald papers in fostering good will and better biracial relationships, we feel that your sponsorship of the Golden Gloves tournament offers a splendid opportunity to improve athletic sports and democratic citizenship here in the nation's capital.

"To this end we respectfully suggest that plans for the local boxing tournament be laid to eventuate in one truly representative team being selected to go from Washington to the national tournament in March.

"We offer in support of this thesis that the following benefits should accrue from such a program, and we further offer some suggestions to be considered by you in planning for the local tournament. They are:

"1. Interest in boxing would be increased.

"2. Attendance at bouts would be larger.

"3. Professional boxing might allow for mixed bouts and more championship events.

"4. The reaction of Negroes toward the Patterson papers would be more favorable.

"5. More athletic championships could be brought to Washington.

"6. Washington athletic representatives would be less likely to be thought of as 'intolerable' when competing in Northern cities.

"7. Mixed boxing would make for greater tolerance.

"8. In our nation's capital, when local suffrage is an issue, this step would be a fine democratic gesture to the nation and the world.

"9. There is apparently no good reason why a mixed tournament cannot be held.

"10. Baltimore has experience mixed professional boxing and baseball with good results.

"11. Washington has had recently mixed professional basketball, softball, and amateur boxing at the Twelfth Street Branch YMCA with no untoward happenings.

"12. The Washington Star AAU marathon is conducted on a basis of free entry by all qualified contenders.

"13. Criticism from many sources would be prevented if Washington sent out only one team to the championships.

"14. The Herald could claim large credit for inaugurating a truly democratic tournament."

SIGNATORIES

The petition was signed by Dr. William O. Claytor, Twelfth St. Branch YMCA; Dr. Edwin B. Henderson, Eastern Board of Officials; Miss Corinne E. Martin, East-Central civic association; Dr. Robert B. Pearson, Mu-So-Lit Club; J. Franklin Wilson, the James E. Walker Post of the American Legion, and Thomas W. Parks, the Washington Chamber of Commerce.

In the event the controversy is not settled satisfactorily, some organizations favor advocating a boycott of the Patterson papers.

Discrimination — 1938

Florida

St. Petersburg, Fla., Times
June 11, 1938

RACIAL GROUP WILL PROTEST NEGRO OUSTER

Misunderstanding, Says Leland

A delegation of members of the city inter-racial committee will call upon City Manager Glenn V. Leland early next week to protest against the ouster Thursday afternoon of several hundred negroes picnicking at Shore Acres.

W. G. Coxhead, secretary of the Y. M. C. A., who will be a member of the delegation, said last night the group did not plan to lodge any formal complaint, but would seek to prevent recurrence of such an incident in the future.

Other members of the delegation will include Dr. J. A. McClure and Mrs. Nat B. Brophy.

Decision to lay the matter before the city manager came after a meeting of the committee yesterday afternoon, when the incident was discussed.

Police said they dispersed the negroes after complaints had been made by Shore Acres residents. N. W. Griffin, principal of the local negro high school, was reported to have been knocked down by an officer.

City Manager Leland expressed regret, and said the entire affair was the result of a "misunderstanding." He said he had given verbal permission for the negroes to have a "teachers" picnic, but understood it was to have included only a small group.

Miami, Florida
July 25, 1938

Drive Blacks From Pool

TEN years ago the city of Elizabeth, N. J., constructed a $50,000 natatorium. Now it has been closed ostensibly because of rapidly dwindling attendance by admission-paying white children; in reality because juvenile race riots started when negro boys attempted to frequent the pool.

Some five years ago white boys and negroes engaged in fist fights and the blacks virtually abandoned the pool. This summer, doubtless inspired by Communist leaflets attacking alleged discrimination against colored swimmers, negro children began to use the pool. Racial ill feeling reappeared. When a negro delegation protested the recent mistreatment of negro boys the city recreation commission closed the building.

The South has its ideas of social distinction between the white and the black races. We have no such problems to confront us as Elizabeth, N. J., had over its swimming pool. We recite the incident merely to show that color discrimination is not necessarily a product of Dixie. The New Jersey boys who drove the negro children from a public swimming pool have never been south of the Mason and Dixon line. It is doubtful whether they have ever heard of it.

Large migrations of colored people have brought to the North a question which the white South settled long since to its own satisfaction if not to the approval of its Northern critics. It is interesting to see what course the North will pursue as the years go on when such unpleasant incidents crop up as white boys bent on driving black children from a publicly owned swimming pool.

The North may find a happier solution to their problem than the social distinction between the races established in the South. But it has not yet hit upon it, as recurrent race clashes amply testify.

Discrimination—1938

General.

Jake Powell May Be Out In Cold

NEW YORK—(CNA)—The word is out among baseball men that Jake Powell, Yankee reserve outfielder, who boasted over a Chicago radio mike of his winter employment as a cop who likes to bash the heads of Negroes, is on his way out. No more perplexing problem than the disposal of Powell has faced the Yankee management. Powell's contract represents a tidy sum of money. For that reason, it must be sold to the highest bidder.

But Powell's acts, as well as his action on the field, which have resulted in many brawls, make him persona non grata to nearly every big league town.

Harlem is up in arms against Powell and Joe McCarthy has not dared use him in a local game since his anti-Negro remark. Philadelphia, Washington, Pittsburgh, St. Louis, Chicago, are all out because of their large Negro populations.

Detroit would hardly care for him because of the strong labor backing the Tigers get. That definitely narrows the field to a small number of clubs that are not interested in putting out much money for a known trouble maker.

Directory Ignores Plea Of Medics

NEW YORK, Sept. 9—The American Medical association, despite numerous complaints registered by physicians all over the country, continues to place the word 'Colored' beside the names of all Race physicians appearing the Medical Directory, a national publication put out by the Association for the use of salesmen, medical supply companies, etc., it was revealed here this week.

The revelation was contained in a letter sent to Dr. Morris Fishbein, editor of the publication, early in August by the National Association for the Advancement of Colored People but made public for the first time Friday.

INSULT TO INJURY

Not satisfied with handicapping the Negro physician by barring him from membership, the American Medical Association continues to place the word "colored" alongside the name of every member of our group whose name appears in The Medical Directory which it publishes for the use of salesmen, medical supply companies, etc.

For many years our people have fought against the use of the word "colored" after their names in telephone directories, and in many instances they have succeeded in having the practice discontinued.

If this practice is indefensible in the case of telephone books, it is equally so or even more so in the case of The Medical Directory.

Our physicians have to have the same equipment and drugs as those of the other group and have to pay just as much for them. To designate them "colored" is merely to invite drug salesmen, medical supply houses and equipment firms to attempt discrimination.

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Pointing out that the "directory is not for races but for physicians," the letter, which was signed by William Pickens, director of N. A. A. C. P. branches, makes it clear that designating Negro physicians as such in the directory provides a convenient means for allowing this group in the medical field to be a prey to all the types of prejudice that business houses care to vent upon them. Dr. Fishbein has not yet replied to the letter.

The American Medical Association does not permit Negro physicians to become members.

State Department Denies Hampering Negro Tourists

The United States State Department denied this week that the government uses is passport agency is a level to discourage American Negroes from traveling abroad.

The denial was contained in a letter sent to the National Association for the Advancement of Colored People by John Scanlan, acting chief of the State Department's passport division, and made public by the Association Friday.

The N.A.A.C.P. had complained that colored travelers on ships out of New York were subjected to much detailed questioning as to their financial ability, their employment, bank accounts, cash on hand, etc. before U.S. officials would issue passports to them.

Because American representatives of the United States in foreign countries have reported the cases of a large number of American citizens abroad who have become stranded abroad without funds," the State department wrote the N.A.A.C.P., the United States has adopted the policy of giving careful scrutiny to the financial condition of passport applicants who the examiners "suspect . . . may not have sufficient funds for . . . maintennace while abroad."

This ruling, the letter said, "is in no wise intended to discriminate against any American citizen, irrespective of his race or color"

Not content with this reply, the NAACP has written again to the department citing the fact that the young woman who made the original complaint had a certified round trip ticket and her financial status had been investigated and approved by the tourist agency from whom she bought her ticket. All this information was sent to the passport bureau before the lady applied for her passport—and still she was questioned at great length and only received her passport after a desperate last-minute appeal directly to Secretary Hull.

OBJECTIONS OF DRS. IGNORED BY DIRECTORY

NEW YORK, Sept. 15—The American Medical Association, despite numerous complaints registered by physicians all over the country, continues to place the world "Colored" beside the names of all Negro physicians appearing in The Medical Directory, a national publication put out by the association for the use of salesmen, medical supply companies, etc., it was revealed here this week.

The revelation was contained in a letter sent to Dr. Morris Fishbein, editor of the publication, early in August by the National Association for the Advancement of Colored People but made public for the first time this week.

Pointing out that the "directory is not for races but for physicians," the letter, which was signed by William Pickens, director of N. A. A. C. P. branches, makes it clear that designating Negro physicians as such in the directory provides a convenient means for allowing this group in the medical field to be a prey to all the types of prejudice that business houses care to vent upon them. Dr. Fishbein has not yet replied to the letter.

The American Medical Association does not permit Negroes to become members.

Insurance Head Urges Protest of Magazine's Attitude Toward Negro White-Collar Workers

LOS ANGELES, Oct. 13—(ANP)—Protests by all organizations and business men of the race over an editorial in the September issue of "American Business" aimed at the Negro white collar workers were asked this week by William Nickerson, Jr., president-manager of the Golden State Mutual Life Insurance Co.

The magazine, published at 4660 Ravenswood avenue, Chicago, has a wide circulation and influence in the white business world. The artic'e, "Negroes in Offices," described by Mr. Nickerson as "insiduous p.opaganda," said:

"What are we going to do about the growing number of Negroes who are graduating from northern colleges and high schoo's? The pressure to make jobs for these white-collared workers is becoming more and more acute, as the Negro pressure groups acquire political importance under the new order of things. Recently in New York merchants were forced to make available a certain number of sales and clerical jobs for Negroes, and there is a systematic campaign under way in Chicago and elsewhere to force public utilities to employ more Negroes in office and clerical work.

"We can sympathize with the Negro who made a great sacrifice to get a college education only to find that he is not wanted in offices where whites predominate. No doubt many of these young men and women would make excellent salesmen and executives. But it would seem that their greatest opportunity is to be found in supplying leadership to their own people, rather than to force themselves in situations where their opportunity to serve society is necessarily limited."

Article Injurious

In his communication to the publishers of American Business, Mr. Nickerson said:

"The writer of this article took a very unfriendly attitude against the American Negro as he endeavors to get 'white collared' jobs. Many of our people view this article as insidious propaganda. They view it with grave concern, and fear that it was deliberate and calculated to injure the American Negro economically.

"The writer started out with he query, 'What are we going to do about the growing number of Negroes who are graduating from northern colleges and high schools?' He spoke of white-collared workers and pressure groups, using New York as examp'e, where merchants were forced to make available a certain number of clerical and sales jobs for them, and Chicago, where an effort was made to force public utilities to employ more Negroes in office and clerical jobs. Then he seems to be somewhat alarmed as to what's going to happen, under the new order of things, when the Negro pressure group acquires more political importance.

"He takes the position, Negroes are 'not wanted' in offices where whites predominate, and that they should not force themselves into situations where not wanted,' which means they should not contend for 'white collared' jobs here or there where white people work, etc. The writer stated many young men and women of this group would no doubt make good salesmen and executives. This is no information to us. It has already been demonstrated from time to time with great satisfaction by many white concerns and is a strong argument in favor of more white concerns giving more employment in this direction.

Cooperation Between Races

"It appears to me that in time of peace there should be the same great public spirit of enthusiastic cooperation between races of the same nation as in time of war, when all unite against the common enemy of foreign invasion. It is therefore the duty of every American emp'oyer and industry to see to it that the American Nego who wants employment gets it. No doubt there are many instances where foreigners from countries not friendly to America get employment here in preference to American Negroes. This is not right.

"There is a great responsibility that rests upon the shoulders of the American journalist. Manifestly, he should be void of prejudice as prejudice corrupts the taste—'it perverts the judgment in all the concerns of life.' In these U. S. A. already too far has the doctrine of hate been unwittingly preached by persons in high positions. One has only to take a glance at Europe to note the fruits of this procedure. The American journalist should be too broad to engage in or encourage propaganda inimical to Americanism, its peace or prosperity."

Supreme Court Decision Is Not Ideal—Miller

Ex-Howard Dean Cites Views of Charles Sumner

WASHINGTON—The recent Supreme Court decision, requiring a State to provide equal educational facilities for both races or admit Negro students to all levels of State educational institutions, violates the dictum of Charles Sumner that equality of rights cannot exist without identity of rights, according to Dr. Kelly Miller, former dean of Howard University.

"On the other hand," asserted Dr. Miller, "it sustains the dictum of President Harding that both races should have the same rights but they need not enjoy these in each other's company. The high-er ground of Sumner yields to the lower plain of Harding.

"When Archibald H. Grimke and I declined the offer of Senator J. B. Foraker to introduce a bill for separate but equal Pullman accommodations for the races," continued Dr. Miller, "we were actuated by principle rather than practical expediency. We declined the possible in quest of the unattainable.

Foresees Mitchell Victory

"It may well be that insistence upon abstract principle is no longer feasible in face of the decision of the Supreme Court and the evident cast of public opinion," he continued.

"Congressman A. W. Mitchell of Chicago has declared his intention of pushing his case on unequal railroad transportation to final adjudication of the Supreme Court.

"That the opinion of the Interstate Commerce Commission will be overruled now seems inevitable. For the judgement of the highest tribunal cuts from under this opinion the doctrine of race discrimination and its justification on account of the expense involved.

"By the decision in the school case," concluded Dr. Miller, "the race has won a practical, though not idealistic victory."

NEGROES IN SOUTHERN UNIVERSITIES

The recent decision of the Supreme Court of the United States as it affects Negro students seeking university degrees above the college level, presents a new aspect in the solution of the problems before the people of the South. Southern Negroes are asking for admittance in Universities in the South where they may study for the degrees to be earned above the college level.

Lloyd L. Gaines, a young colored man of St. Louis, made application for matriculation in the Law School of the University of Missouri. His application was turned down. He carried the case to the Supreme Court and the Court almost unanimously decided the case in his favor. The opinion of the Supreme Court was set forth by Chief Justice Hughes and concurred in by Justice Black of Alabama. The decision in part is as follows:

"The basic consideration," said Chief Justice Hughes in the opinion concurred in by Mr. Justice Black (of Alabama, and once a member of the K.K.K.) and all other members of the court except Mr. Justce McReynolds and Mr. Justice Butler, "is not as to what sort of opportunities other states provide, or whether they are as good as those in Missouri, but as to what opportunities Missouri itself furnishes to white students and denies to Negroes solely upon the ground of color. The admissibility of laws separating the races in the enjoyment of privileges afforded by the state rests wholly upon the equality of the privileges which the laws give to the separated groups within the state."

"The question here," continued the Chief Justice, "is not of a duty of the state to supply legal training, or of the quality of the training which it does supply, but of ts duty when it supplies training to furnish it to the residents of the state upon the basis of an equality of right. By the operation of the laws of Missouri a privilege has been created for white law students which is denied to Negroes by reason of their race, the white resident is afforded legal education within the state the Negro resident having the same qualifications is refused it there and must go outside the state to obtain it. That is a denial of the equality of legal right to the enjoyment of the privilege which the state has set up, and the provision for the payment of tuition fees in another state does not remove the discrimination . . . Nor can we regard the fact that there is but a limited demand in Missouri for the legal education of Negroes as excusng the discrimination in favor of the whites . . . ."

The decision of the Supreme Court in the Gaines case affects other cases to be considered. The application of Bruce Bailey, of Columbia, is still on the files of the Registrar of the University of South Carolina.

The Palmetto Leader does not believe that Negro students seeking professional training are asking for admission to Unversities in Southern States simply to be in classes with white students. If Negro colleges in the "Deep South" offered the same type of training that is provided in white colleges this particular problem would not present itself.

The best minds of both races can work out the proper solution to the problem. All Negroes want anywhere is equal educational opportunities in elementary, secondary and higher education. To grant this South Carolina will be better off in many respects.

Discrimination – 1938

General.

Columbia S. C. State
January 6, 1938

Anti-Jim Crow Law.

Washington, an. 5—(UP)—A bill to abolish "Jim Crow" cars was introduced in the house today by Representative Arthur Mitchell (Democrat) of Illinois, only Negro member of congress. The measure would make illegal the segregation of Negroes in trains, railroad restaurants and waiting rooms.

DEMAND REMOVAL OF POWELL FROM BASEBALL FOR RADIO SLUR

Under Fire

Only the prompt action on the part of Judge K. M. Landis, baseball commissioner, and the continued apologies made by Bob Elson, WGN radio station sports commentator, partially pacified thousands of angry citizens and lovers of baseball Saturday following the insulting remarks made Friday over the radio by Alvin "Jake" Powell, outfielder on the New York American league team, known as the Yankees.

The removal of Powell from organized baseball is demanded by all lovers of clean sportsmanship. The 10-day suspension by Judge Landis does not satisfy a group of people who, in its entirety, are law abiding, peace loving citizens. Already a movement has been started to have Powell removed as a member of the Dayton police force. Also is there a move to ban all goods manufactured by sponsors of any game in which Powell takes part.

Situation Serious

So serious had the situation become Saturday that the entire Yankee team, with the exception of Powell, was escorted to the white Sox park by three police squad cars and detectives were scattered in the grand stands and bleachers which surround the White Sox outfield. The Yankee manager is said to have sent Powell out of town.

Powell stirred up a hornet's nest of ill-feeling which has not been felt in this city since the days of the race riot of 1919, when, on Friday during a pre-game interview by Bob Elson, the Yankee outfielder insulted hundreds of thousands of radio listeners whose racial identity was other than white.

Elson, as has been his usual custom here in Chicago at both the major league parks, had asked a simple sensible question of Powell. "How do you keep in trim during the winter months?"

ALVIN (JAKE) POWELL
Left fielder on the New York Yankee baseball team, whose ouster is sought by thousands of members of the Race because of his slurring remarks over radio station WGN during a sports interview. Although Powell has been suspended for ten days, irate citizens are demanding that Commissioner K. M. Landis put him out of the American League completely.—Acme photo.

While the radio listeners waited for the reply, they were astounded when Powell, wearing a uniform with number 7 on the back, blurted out, "O, that's easy. I'm a policeman and I beat niggers over the head with my blackjack while on my beat." Powell is a policeman in Dayton, O., and his beat takes him through a section inhabited by Negroes.

Elson cut Powell off the air. Incensed thousands immediately tuned off of station WGN and turned their radios off altogether and sought redress from station WGN. In the meantime Elson, sensing the seriousness of the uncalled for as well as unsportsmanlike remark apologized for the station. But thousands missed Elson's apology.

Judge Landis' Statement

Saturday, Elson again explained to the radio audience and at that time told his hearers that Powell had been suspended 10 days by Judge Landis. Judge Landis' official statement read:

"Although the commissioner believes the remark was carelessly and not purposely made, Powell is suspended for 10 days."

Those of our group interested were not satisfied with what they termed such a light sentence.

It is understood that Louis Comiskey, owner of the Chicago White Sox and Harry Grabiner, secretary had taken immediate steps early Saturday morning to keep Powell out of Sox park during the series with the Yankees which continued Saturday and Sunday.

A delegation consisting of Mrs R. A. Cole, whose husband formerly owned the Chicago American Giants; Abraham Lincoln Foster executive secretary of the Chicago Urban league; V. J. Washington business manager of the Chicago Defender and representing Robert S. Abbott, publisher, who was at his country home in Michigan; Dr Metz Lochard, foreign editor of the Chicago Defender, and Frank A. Young, representing both the Chicago Defender and the Negro American League, were granted a conference with Secretary Grabiner at the White Sox park Saturday at 1 o'clock.

Mr. Grabiner said action had already been taken by Commissioner Landis. Both President Comiskey and himself had regretted the incident inasmuch as they appreciated the patronage of the park by our group.

It was suggested to Mr. Grabiner that interviews of players from the park by radio announcers should be discontinued unless the players' answers could be read and censored by the announcer. He agreed that it would save such unpleasant situations.

When the umpires went to the plate before the game on Saturday, a delegation of three, representing the Cook County Bar Association, Gladiators Civic club, and the Bronzeville Chauffeurs Safety club, presented a resolution asking that "Jake Powell be asked to apologize for his remarks and that Jake Powell be barred forever from professional baseball."

Elson States Position

Bob Elson, WGN sports commentator, made the following statement to the Chicago Defender:

"An incident occurred on my pre-game broadcast of Friday, July 29, which was very distasteful to me and, I know, to many of my radio listeners. I regret very much that player Jake Powell of the New York Yankees saw fit to make a remark which was entirely uncalled for and made without being anticipated in any way by me. The remark was strictly Jake Powell's own words, as all of the interviews with players are presented without opportunity for censorship. They are interviews in the strict sense of the word, being wholly unrehearsed and presented without the use of any written copy.

"I want to repeat that the remark of Mr. Powell was as offensive to me as it was to many of my good friends."

Powell was accompanied before Commissioner Landis Saturday morning by Joe McCarthy, manager of the Yankees. Until late Friday, McCarthy, not hearing the broadcast, knew nothing of Powell's remarks. Powell, when questioned by the judge, said he "didn't remember saying anything offensive and added that he had "some good Negro friends in Dayton."

Blames Radio Station

McCarthy, who was deposed as manager of the Chicago National League club before he became Yankee manager, went to the Cubs from Louisville. He was bitter when besieged by newspapermen Saturday morning. He placed all the blame on the radio station.

"The players do not want to engage in these broadcasts," said McCarthy. "In fact, most of them are afraid of them but they are pestered until finally one of them gives in. Then in an unguarded moment something is said, maybe only in a joke, but it's taken the wrong way and then there is trouble."

Asked what about Powell's remark, McCarthy said he didn't hear it as he was on the field. "I don't know what Powell said but whatever it was, I'm pretty sure he meant no harm," said McCarthy. "Perhaps he just meant to get off a wise crack. So the radio people ran off cold with apologies and I'm out a ball player for 10 days in the thick of the pennant race."

McCarthy was asked what he meant by "Powell didn't mean any harm." He failed to answer that question.

He went on to say that he would not permit any of his players to do any broadcasting in the future unless made from a prepared script. Later it was understood, although it could not be verified from the commissioner's office, that Judge Landis plans similar action to apply to all ball players.

TO MR. RUPPERT, OLD GOLD CIGARETTES, AND CITIZENS OF DAYTON OHIO

Jake Powell, the bully of baseball, insulted a Race of 15,000,000 people last Friday when being questioned by announcer Bob Elson over radio station WGN at the White Sox park in Chicago on a program sponsored by Old Gold cigarettes. What occurred was this:

Bob Elson—How do you keep in trim during the winter months in order to keep up your batting average?

Jake Powell—Oh, that's easy, I'm a policeman, and I beat niggers over the head with my blackjack.

Powell is a professional bully on the diamonds and is known as a "bad egg" among his teammates. He has been escorted off the diamonds on several occasions by policemen. He has caused trouble in almost every city in the American League circuit.

He was given a ten days' suspension by baseball's high commissioner, Judge K. M. Landis for his slur to the black race.

But that is not enough punishment.

Powell should be banned from organized baseball. The fans are wondering why Jake Ruppert, owner of the New York Yankees, who hires Powell, will continue to let him play when Mr. Ruppert enjoys the patronage of thousands of black citizens in his Yankee Stadium and sells his beer all over Harlem to black people, making thousands of dollars from this race. Old Gold cigarettes that sponsored Powell's talk also enjoys lucrative business from the black race, but so far has been entirely mum on an apology. Black people have learned how to "fight fire with fire" and will expect all sources in any way connected with Powell and his slur to see that he is banned from baseball and kept where he will not have the opportunity to exhibit his ignorance.

Powell is a dangerous man to trust with a blackjack and revolver. The citizens of Dayton, Ohio, where he patrols a beat in the "Negro section," should see that he is discharged from the force. He has admitted that he believes in lawlessness. As a "preserver of the peace" he boasts about th way he brutalizes the people he is supposed to protect. He is a "riot breeder" clothed in the uniform of law and order, and is a dangerous element in both civic and sport circles.

For the good of all, Jake Powell should be banned from organized baseball and discharged from the Dayton, Ohio, police force.

If black people realize the tremendous power of their dollars; if Dayton citizens employ their ballot correctly, they can make those suffer who continue Jake Powell in baseball and on the police force.

'FEELS SORR... FOR SLUR ... ENTIRE R...

Says He Hires Two ... His Home; Admi... Talk Was Blund...

NEW YORK, Aug... Jake Powell, New ... Yankee outfielder ... sulted the Race with... terview over the air ... cago a few weeks ago is o... begging the Race to forgi... him.

Sunday afternoon while his teammates were playing he visited the office of the Chicago Defender and pleaded that we tell the world that he was sorry it all happened. His signed statement follows:

"I, Jake Powell, solemnly regret the incident that was broadcast recently over the networks from Chicago. I made an effort to make public apology over the same network and was refused permission or time to rectify same. I then got in touch with Mr. Barrow, my boss, and asked permission that I come personally to the Chicago Defender and other weekly newspapers in Harlem and offer my apologies.

"Honest, you can believe me when I say I regret the slur as I had no intention to hurt anyone or their feelings. Members of the Negro race have helped to earn my bread and butter and no one knows that better than I do. It is my sincere hope that the people whom I have insulted, and all true sports fans will forgive me and accept my sincere apologies . . . I have two members of your race taking care of my home while myself and wife are away and I think they are two of the finest people in the world. I do hundreds of favors for them daily."

Signed,
Jake Powell

Note: This statement was made and signed in the New York offices of the Chicago Defender. Mr. Powell spent all Sunday afternoon in the offices of the Defender, preferring that to sitting on the bench while his team played at Yankee stadium.

Harlem, however, is not satisfied with this late day apology, and a movement is on foot to declare "a year's holiday" against drinking any Ruppert beer, as Col. Jake Ruppert, owner of the Yankees, still retains Powell on his ball team.

Discrimination - 1938

General

STUDENTS PUT JIMCROW OUT

Meeting at Vassar Maps Plans for Fight in Universities

Poughkeepsie, N.Y., January 6.—Jim crow education must go, if the young white students of this country have anything to do with it.

This fact was brought to light at a convention of the American Student Union which brought more than 300 delegates, mostly white, together in their annual meeting.

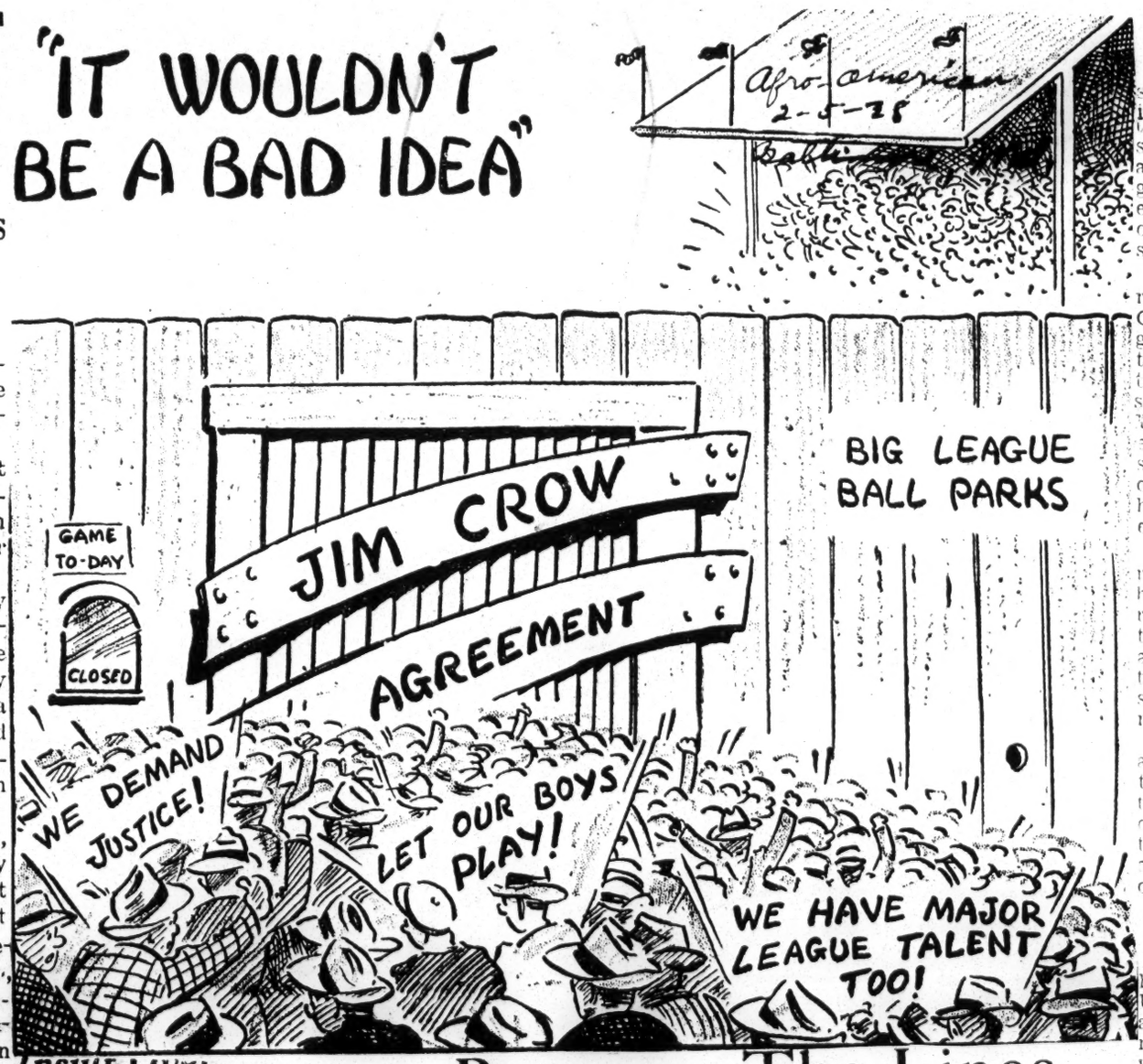
That the students were strongly opposed to segregation and discrimination was evidenced even before the convention started, when a party of white students pulling out of a Southern railroad station insisted that their Negro delegates be permitted to occupy the same car with them.

Once the convention had begun, however, plans were immediately mapped out to wage a fight against jim crowism in all colleges where it is found. These plans included a demand that Oberlin college in Ohio, first American college to admit Negroes, issue a statement to the student union of its intended policy in regard to discrimination against Negroes.

Jesse Reed of the University of Chicago voiced the American Student Union's opposition to housing restrictions against Negroes in the section of Chicago's "black belt," adjacent to Chicago university. The university authorities were accused of taking part in the segregation.

Among the discussions taken up at the convention, held on the historic Vassar campus, were "Problems of the Negro Student" and "How to Strengthen Negro Support to Spanish Democracy and China."

"IT WOULDN'T BE A BAD IDEA"



Insult Over NBC Network Is Protested

Terrell M. Taylor, 2403 Montgall avenue, wrote the following letter to the National Broadcasting company:

Gentlemen: A few months ago quite a furor was raised concerning objection dialogue in a garden scene between Mae West and Don Ameche during a Sunday evening broadcast. It created national comment.

Tonight (Feb. 20) in your presentation of "Interesting Neighbors," Judge Camille Kelley interviewed by Jerry Belcher, in one of her stories referred to an "old N— woman." Is there not some regulation by the Federal Radio Commission restricting the use of the word, "n—?" Such a reference was a distinct insult to every American Negro.

Very sincerely,

TERRELL M. TAYLOR.

Between The Lines

By Gordon Hancock

Would a Negro Army Division Be Segregation?

THE question of a separate Negro division of the United States army is before Negroes and the nation. Naturally, there are those who oppose it on the grounds that it makes for that racial separateness which in its ultimate implications means disaster to the Negro race.

No Negro wants segregation and separateness as ultimate solutions of the color question, but as a means to an end these have been in many ways the entering wedge for Negro endeavor.

Segregation in the field of business has produced our great insurance companies and made possible the fine contribution that they have made and are making toward Negro advancement.

Segregation made possible the great A. M. E. Church which is not only a credit to the Negro race, but to Christendom. Segregation has hastened the rise of a Negro intelligentsia which is prophetic of a better day. Making the most of segregation has stirred the Negro to desperate action in his own behalf.

The Negro has not wanted segregation and separateness, but having them forced upon him, he has achieved a self-confidence that is salutary. The North without its racial segregation is not the fertile soil for Negro ambition as the South with its segregation.

A Means of Uplift

Segregation gives the Negro something to fight against, and it is fighting against something that spurs mankind onward. In spite of much learned quibbling and mental gymnastics, the Negro has accepted segregation everywhere, and only illusions of grandeur prevent one from seeing it.

Although we may reject segregation in theory—and may God have mercy upon the Negro who does not—we sometimes gladly accept it in practice as a means of lifting ourselves economically and socially. It is no more disgrace for the emancipated Negro to accept segregation that is forced upon him than for the slave to have accepted the slavery forced upon him.

By making the most of segregation, the Negro can place himself in position to fight segregation. By accepting segregation in practice the Negro has an educational advantage and through these he has produced scholars who can combat segregation in principle.

Even the N. A. A. C. P. has accepted segregation in practice, for in the South where they are proposing to fight the double standard of salaries for teachers, they are not legally opposing segregation, but discrimination.

Can Bore From Within

Why, then, should we not have a Negro division of the United States army? This separate division would necessitate more students in West Point. It would give to our stifled military genius the necessary expression. It would lend military dignity to the Negro such as he does not have at present.

It would elevate the Negro soldier above the level of "cannon fodder." It would lessen excuse for our "ditch-digging captains" and "log-rolling lieutenants" who hitherto have won von their "spurs" with labor battalions.

The labor corps are just as necessary to the successful prosecution of war as the "board of strategy," but according to our present standards, not as noteworthy and dignified. If in religion and education and in business we have recognized segregation. Never before has the Negro been such an integral part of the government; but this increased influence in the government is due to accepting the practice of segregation.

In other words, the Negro is more powerful in this nation today if he had refused to accept "Negro" portfolios in the different departments of our New Deal government.

Being from within is a sound principle. Segregation has enabled the Negro to get on the inside of the affairs of government! Now it is up to these Negroes to bore from within. A separate Negro division will not be a stumbling block, but a stepping stone! It is the unsatisfactory means to a desirable end. Boring from within!

Fans Would Bar Powell for Life

Yankee Outfielder, a Product of Baltimore's Sandlots, Makes Crack Against Race

CHICAGO — Following the wave of protest in the wake of the radio insult of Alvin (Jake) Powell, New York Yankee baseball player, last Friday, fans the country over are demanding that Powell be banned from organized baseball for life.

Asked what he did during the winter monts, Powell, talking extemporaneously, said he worked as a policeman in Dayton, Ohio. Then, after a few more questions, Powell is reported to have remarked in a jocular manner that he derived considerable fun out of his job "cracking N———s over the head!"

Apologies Forthcoming

The broadcast, which was conducted over Station WGN, which is operated by the Chicago Tribune, was immediately terminated and apologies were made, a voice explaining that the station was not responsible for the remarks passed by ball players.

Saturday morning, after being deluged by protests from radio listeners, Commissioner K. M. Landis summoned Powell to appear before him and though Jake vigorously denied any harmful or offensive intent in anything he said, the commissioner announced he would have to suspend the player for at least the balance of the Yankees' present trip, which ends in Cleveland Saturday.

Powell emphatically denied having made any such remark. "I don't remember saying anything like that at all," he said. "I certainly would never mean to say anything offensive to the Negroes of Dayton, Chicago or anywhere else. I have some very good friends among the Negroes in Dayton."

Product of Baltimore

Powell is a product of Baltimore, which might account for his southern thoughts. He was known as one of the "duck soup boys" among the colored pitchers who hurled against him in those parts. A notoriously weak hitter, Baltimore Black Sox moundsmen gobbled him up.

Later going to Albany, of the International League, and thence to the Yankees by way of Washington's Senators, he fared no better.

Powell and his friends tried to smoothe over the incident Friday by saying the ball player "means no harm." Said Manager Joe McCarthy, of the Yankees, who accompanied Powell before the commissioner:

"In an unguarded moment something is said, maybe only in a joke, but it's taken the wrong way and then there is trouble. I don't know what Powell said, but whatever it was, I'm pretty sure he meant no harm. Probably just meant to get off a wise crack. So the radio people ran out cold with apologies."

Before Saturday's game, between the Yankees and White Sox, a delegation of colored citizens, headed by Clinton A. Brown, president of the Gladiators' Civic Club, appeared at Comiskey Park and requested of Umpire-in-Chief Harry Geisel that "Jake Powell be asked to apologize and be barred from professional baseball."

A spokesman for the group said a formal petition had been prepared for Judge Landis.

Picks Armstrong

NEW YORK—From Gene Tunney: "I firmly believe Henry Armstrong will stop Lou Ambers in a few rounds, unless Ambers moves along some."

POWELL SUSPENDED FOR RADIO REMARK

Landis Imposes Ten-Day Ban on Yankee Player After Protest by Negroes

Special to THE NEW YORK TIMES.

CHICAGO, July 30.—Alvin (Jake) Powell, New York Yankee outfielder, was suspended for ten days by Commissioner K. M. Landis today. The action followed a radio interview yesterday in which Powell is alleged to have made a flippant remark that was taken to be offensive to Chicago's Negro population and raised a storm of protest in its wake.

The interview preceded yesterday's Yankee-White Sox game. Asked what he did during the Winter months, Jake, talking extemporaneously, said he worked as a policeman in Dayton, Ohio. Then after a few more questions, Powell is reported to have remarked in a jocular manner that he derived considerable fun out of his job "cracking niggers over the head."

Broadcast Is Halted

The broadcast, which was conducted over Station WGN, operated by The Chicago Tribune, was immediately terminated and apologies made, a voice explaining that the station was not responsible for remarks passed by ball players.

This morning, on being deluged by protests from Chicago's large Negro population, Commissioner Landis summoned Powell to appear before him and, though Jake vigorously denied any harmful or offensive intent in anything he said, the commissioner announced he would have to suspend the player for at least the balance of the Yankees' present trip, which ends in Cleveland a week from tomorrow.

In fact, Powell emphatically denied having made any such remark as was attributed to him.

"I don't remember saying anything like that at all," said Jake, "and I certainly would never mean to say anything offensive to the Negroes of Dayton, Chicago or anywhere else. I have some very good friends among the Negroes in Dayton."

McCarthy Is Indignant

Manager Joe McCarthy, who accompanied Powell before the commissioner, was extremely bitter about the entire incident and seemed inclined to blame it all on the radio people.

"The ball players do not want to engage in these broadcasts," said Marse Joe. "In fact, most of them are afraid of them and want no part of them. But they are pestered and pestered until finally one of them gives in. Then in an unguarded moment something is said, maybe only in a joke, but it's taken the wrong way and then there is trouble.

"I don't know what Powell said, but whatever it was, I'm pretty sure he meant no harm. Probably just meant to get off a wise crack. So the radio people ran out cold with apologies and I'm out a ball player for ten days in the thick of a pennant race."

McCarthy made it clear he would not permit any of his players to do any broadcasting in the future unless made from a prepared script. It is understood Landis plans to take similar action to apply to all ball players.

Pegler

Moguls Punish Player But Bars Against Negro Remain

By Westbrook Pegler

NEW YORK, Aug. 5.—Jake Powell, a part-time outfielder for the New York Yankees is riding the pine for 10 days for blurting in an impromptu broadcast on the field in Chicago that he spent his winters doing police work and that his specialty was hitting "niggers" over the head with his club.

Judge Landis, who tried the case and imposed the penalty, would thus placate the colored clientele of a business which trades under the name of the national game but has always barred Negro players.

If all American employers did the same the entire Negro population of the country would starve, become public charges or go back to slavery. So Powell was only giving expression in crude, brief wordage to the unspoken but inflexible policy of the organized baseball industry. Moreover, his remark was thoughtless and probably untrue, whereas the men who employ him and Judge Landis have given solemn study to the problem and confirmed their decision by their conduct.

Thus no Negro ever has been permitted to play ball or even to try out for a job in the organized industry.

They Play In Semi-Pros

In the semi-pro business, however, for more than a quarter of a century white men have played on good terms against teams of Negroes. The white men have included major leaguers come down in the world, unemployed minor leaguers, part-time mediocrities playing for a little extra cash and love of the game, and some current major league players out barnstorming after their work was done.

From the days of Rube Foster, a famous colored pitcher, to the present, the major league teams, as such, have avoided games with Negro teams, so there is no line of comparison, but certainly Foster and other individuals would have made good in the most expert company but for the great "verboten." Foster was good, and major league hitters who faced him in informal games admitted that he was ready in all respects but one.

Many of the white players are Southern men who would object to Negroes, and the national organization of baseball is such that men must be farmed out to minor leagues playing in Southern cities where a Negro would be unwelcome on the field in white company. These are practical difficulties which the magnates have had to consider, and it is no fault of theirs that the prejudice exists.

North Wouldn't Mind

However, they have been content to respect the prejudice and have never done anything to soften it up.

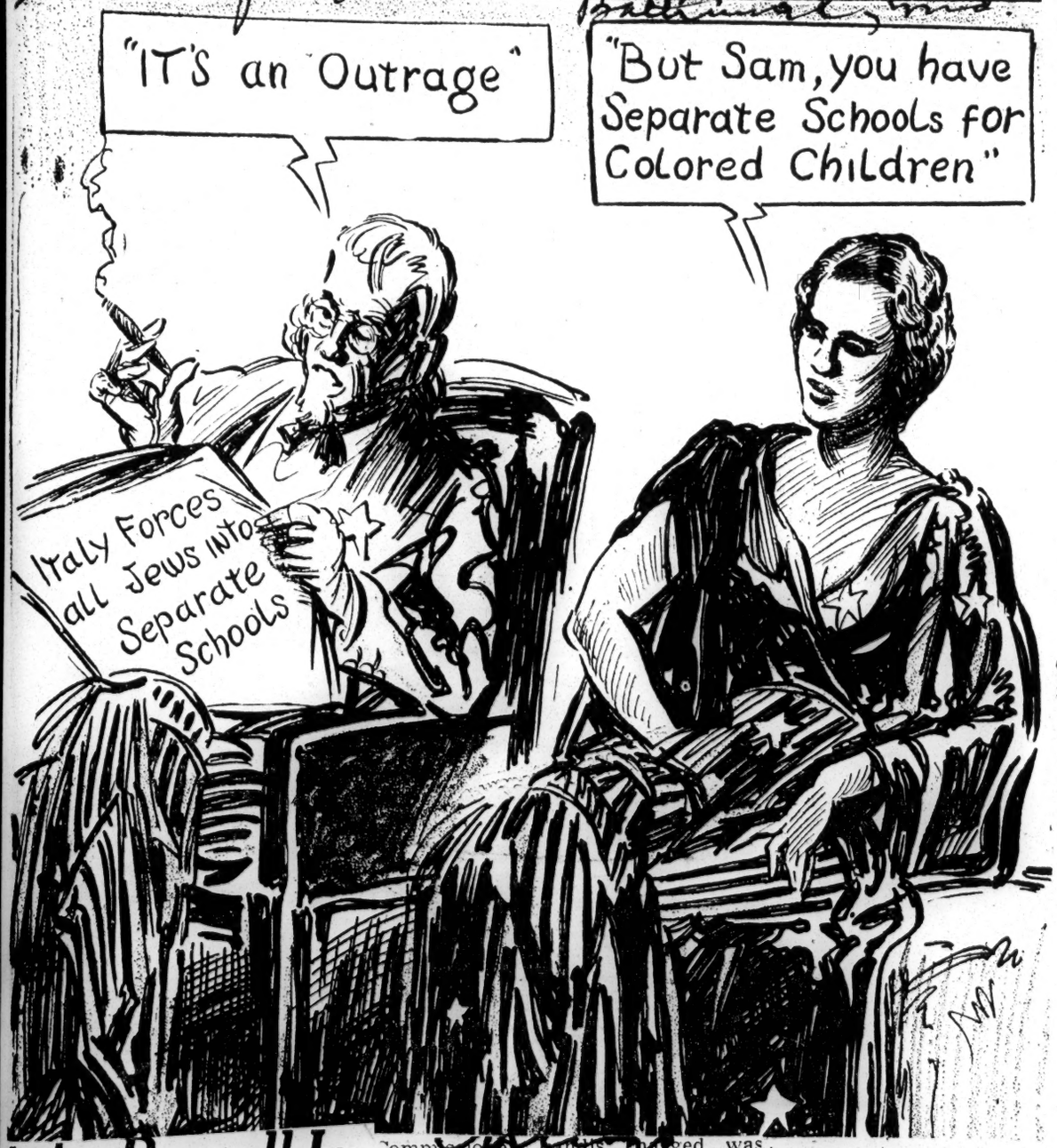
From the standpoint of the customers there would be no risk at all north of the line, for they have seen and cheered many Negro fighters and runners and a few football players in open competition and bodily contact with white men.

But the baseball business does nothing at all about this discrimination.

Discrimination – 1938

General

OUR OLD FRIEND JIM CROW



Equal Rights Insurance Law

The Metropolitan Life Insurance Company will no solicit applications for insurance on colored people i New York State, its vice-president, Charles G. Taylor Jr., white, has written the N.A.A.C.P.

Reason is that Assemblyman Stephens's bill, passed by the 1935 legislature, makes it unlawful for any insurance company to discriminate against colored in the type of policy offered for sale, or in the rates of premiums charged therefore. A second section of the law forbids a life insurance corporation from rejecting "any application for a policy of life insurance issued or sold by it, on account of race, color or creed."

All colored applicants seeking insurance will have to apply at a district office of the company, Taylor says.

The implication is that if the Metropolitan Life Insurance Company must issue policies to colored clients under the same terms as that under which it must issue them to other persons, it will not solicit colored business.

So far as we can see it, the law is working out well. Who cares whether Metropolitan solicits our business or not? What we want is merely the assurance that our dollar will bring as much insurance protection as anybody else's dollar.

Jake Powell Is Suspended for Radio Remark

Jake Powell, outfielder with the New York Yankees, was suspended for ten days by Kenesaw Mountain Landis, commissioner of baseball, yesterday for remarks he made over the radio from the White Sox park Friday.

Powell, in a dugout interview with a sports announcer before the Yankee-White Sox game, made what Commissioner Landis charged was slighting reference to Negroes. The player was immediately cut off the air and telephones at the radio station started ringing with demands for apologies. Complaints also reached Commissioner Landis by telephone.

Commissioner Landis in a prepared statement said he believed Powell's remarks were made carelessly and not purposely.

Unrehersed Interview.

Powell, asked what he did during the winter, told his interviewer that he worked as a policeman in Ohio, adding, in jocular vein, that he used his "club" on Negroes.

In referring to Negroes, he used a colloquialism resented by members of that race, it was reported. Subsequently the station broadcast at least half a dozen apologies and pointed out that, because of the spontaneous nature of the interview, it was unable to control his remarks.

Before yesterday's game a delegation of three Negroes representing colored societies visited Umpire Harry Geisel at the plate and requested that Powell issue an apology and be banished from baseball. Powell remained away from the park.

Won't Appear in Uniform.

While the Negro delegation protested, Manager Joe McCarthy of the Yankees said Powell would not appear in uniform during the remainder of the series, but that he would accompany the team to Detroit and Cleveland and work out before the games there.

"There is nothing that I can say," McCarthy told reporters. "The commissioner's decision is all right with me."

Powell said yesterday he did not recall making the remark as charged.

"To the best of my knowledge," he added, "I said I was a member of the police force in Dayton during the winter months, and simply explained my beat was in the Negro section of the town."

N.A.A.C.P. Seeks Information On State Scholarships For Negro College Students

Washington, D. C., Oct. 28.—Charles H. Houston, member of the national legal staff of the National Association for the Advancement of Colored People, announced today that he has written to several weekly newspaper editors urging them to advise prospective students living in states that have scholarship laws, to write him if they have been denied scholarships.

Houston asked that the letters be addressed to him at his office, 615 F Street, Northwest, Washington, D. C. He said he was mainly interested in those students who had been denied scholarships because state appropriations were exhausted, or because tuition at an out-of-state university was lower than that of the local state school. Houston will appear before the United States Supreme Court, November 7, when the high court will review a lower court decision upholding the exclusion of Lloyd Gaines, St. Louis student, from the University of Missouri.

BRITISH SUBJECT, AT WEST POINT 3 YEARS, WANTS TO BE CITIZEN

But Whites In New Jersey Town Protest Location o Colored CCC Camp Near Them.

NEWBURG, N. Y., Nov. 3—The ultimate in the amaz ing forms which American color prejudice can assume wa disclosed here one day last week when the Newburg News white daily, published two articles. one reporting the pro tests of whites against the location of Negro CCC enrollees near them, the other recounting the action of a cadet in his third year at West Point who filed his plea to become an American citizen.

The first story, from Trenton, N. J., told of the protest which residents of Glassboro, near Trenton New Jerey's capital, had made to Governor Harry A. Moore, against the intention of the federal gov ernment to locate a camp of 18(native-born American Negroes members of the Civilian Conserva ion Corps, a federal agency, nea their town.

However, no protest was reporte against the fact that an alien Francis Richard Sullivan, a Britis subject, could pursue a course at West Point Military Academy for three years before filing his plea for citizenship.

West Point is supported by the tax dollars of American citizens, black and white. The utmost pressure has to be used for a Negro boy to gain or win admission to the institution. Even after a Negro boy enters, his path is strewn with rocks and he must be made of the most uncommon stuff if he is to perservere and complete the course.

Ironically enough, the Newburg News published the story of the "Alien Within Our Gates," on its first page, and the story of the 18(

DISCRIMINATION- 1938

GENERAL

Catholic Editor Says Prejudice Against Negro Plays Into Fascist Hands

NEW YORK.—(ANP)—Speaking in Town Hall at a dinner given in his honor, Father LaFarge, associate editor of the Catholic journal, "America," denounced the practice of race prejudice, and warned that "American anti-Negro racism offers to its virulent European cousins an idealogical, not just a pragmatic, foothold this side of the Atlantic. certain dignity and tradition which can readily be exploited for the purpose of de-Teutonizing a foreign doctrine."

"And let us pity those who are so blinded by race prejudice that they do not realize what they are doing to themselves; let us extend our sympathy and pity not only to the persecuted but to those who do the persecuting. They do themselves far more harm."

Among the other speakers were Elmer Carter, editor of "Opportunity"; Harold D. Hewn, chairman of the legislative commission, studying the conditions of Negroes, and Hudson Oliver, president of the Catholic Interracial Council.

White Arkansas College Head Would Admit Negroes To Universities

RICHMOND, Va.—Replying to a question from the Richmond Times-Dispatch on what to do about the U. S. Supreme Court's ruling that the University of Missouri must admit a Negro to its law school, Dr. John Hugh Reynolds, president of Hendrix College (white) Conway, Arkansas, comes out flat-footedly for the admission of Negroes to white graduate and professional schools. He is quoted by the Times Dispatch as saying:

"Separate schools are now maintained in Arkansas for courses in which Negroes are largely interested. If any Negroes wish to study law or medicine or such—and there would be a few desiring this—they should be admitted to the regular classes at the university. There probably would be trouble at first—some hot-headed southern boy might mask a Negro's nose—but in a year or two we would get used to it."

The Times-Dispatch asked numerous white and colored educators in the South for their opinions and printed the replies under the headline:: "High Court gives South Hard Puzzle in Education."

Discrimination – 1938

General

Westbrook Pegler

Cites Racial Discrimination On Part of Organized Baseball In Nation

JAKE POWELL, a part-time outfielder for the New York Yankees, is riding the pine for 10 days for blurting in an impromptu broadcast on the field in Chicago that he spent his winters doing police work and that his specialty was hitting "niggers" over the head with his club.

Judge Landis, who tried the case and imposed the penalty, would thus placate the colored clientele of a business which trades under the name of the national game but has always treated the negroes as Adolf Hitler treats the Jews.

If all American employers did the same the entire negro population of this country would starve, become public charges or go back to slavery. So Powell was only giving expression in crude, brief wordage to the unspoken but inflexible policy of the organized baseball industry. Moreover, his remark was thoughtless and probably untrue, whereas the men who employ him and Judge Landis have given solemn study to the problem and confirmed their decision by their conduct.

Thus no negro ever has been permitted to play ball or even try out for a job in the organized industry, and Babe Ruth, were he a colored man, would not have risen above the rank and pay of the leaky-roof leagues in which dark men operate as semi-pros.

In the semi-pro business, however, for more than a quarter of a century white men have played on good terms against teams of negroes. The white men have included major leaguers come down in the world, unemployed minor leaguers, part-time, mediocrities, playing for a little extra cash and love of the game, and some current major league players out barnstorming after their work was done.

From the days of Rube Foster, a famous colored pitcher, to the present major league teams, as such, have avoided games with negro teams, so there is no line of comparison, but certainly Foster and other individuals would have made good in the most expert company but for the great "verboten." Foster was good, and major league hitters who faced him in informal games admitted that he was ready in all respects but one.

Many of the white players are Southern men who would object to negroes, and the national organization of baseball is such that men must be farmed out to minor leagues playing in Southern cities where a negro would be unwelcome on the field in white company. These are practical difficulties which the magnates have had to consider, and it is no fault of theirs that the prejudice exists.

However, they have been content to respect the prejudice and have never done anything to soften it up, even in Northern cities where public opinion would have approved the granting of an opportunity to a pioneer negro major or minor leaguer. By the time half a dozen negroes had been given a chance, some to fail on their merits, no doubt, the novelty would wear off, and organized baseball, in certain areas, at least, would be free of discrimination on racial grounds.

From the standpoint of the customers there would be no risk at all north of the line, for they have seen and cheered many negro fighters and runners and a few football players in open competition and bodily contact with white men. And if there is danger in Harlem, where both the Yankees and Giants play ball, of disorder over a sport event, it would be diminished, not aggravated, by a decision to permit negro players to make good or fall according to their skill.

It is easy to rage at the major leagues and denounce the magnates for bowing to a prejudice that was none of their doing, but if they were to open up the game completely to negro players over night, they would bring on disorder and defeat the reform. Consistently they would have to impose colored recruits and reserve players on Southern communities where they operate, and the South just wouldn't agree.

But the baseball business does nothing at all about this discrimination, and Powell can argue plausibly that he got his cue from the very men whose hired disciplinarian has benched him for an idle remark.

The Yankees or one of the Chicago teams would easily try the experiment of using a star colored player from one of the semi-pro clubs. The customers would suffer no shock, and the Southern white boys would find after a few games that it didn't hurt them much, after all.

Bar Asked To Lift Ban On Negroes

Civil Liberties Union Sends Message to President

The American Bar Association was called upon by the Civil Liberties Union yesterday to remove its discrimination against membership of Negroes as an initial step in conducting a militant fight for minorities, following its recent creation of a special committee on defense of civil rights.

The suggestion was contained in a letter to Frank J. Hogan, president of the Association, by Arthur G. Hays, general counsel for the A. C. L. U. Congratulating Mr. Hogan on the action taken at his recommendation in forming the Civil Liberties Committee, Mr. Hays offered the cooperation of the union and its branches throughout the country.

Mr. Hays added:

"We welcome the American Bar Association's long delayed recognition of its responsibility in this field and trust that its work will be conducted on behalf of all minorities without discrimination. As a first step, we urge the committee to lift the ban against Negroes in the Bar Association.

"Personally I wish to add that I am a member of the American Bar Association but that I intend to resign unless some action is soon taken so that Negroes may be admitted to membership. I hope that such an example on my part will be followed by many other members."

POWELL VISITS PRESS

By AL MONROE

Jake Powell, New York Yankee outfielder, is peeking over your correspondent's shoulder as this is written, pleading that we chronicle his regrets to the world. Jake "feels very, very sorry" about what happened in Chicago when his remarks were interpreted as an insult to the entire race.

There will be those who will refuse to accept Powell's apology and your correspondent may be among the number. But accept it or not we must show appreciation for the method Powell employed in getting his message over to the Race. He was like a child in the hands of your correspondent and Colonel Herbert Julian as he talked for eight or more hours about what had taken place. "Can't you please tell them I am sorry," he said as we talked to him. "I wouldn't harm anyone. I beg their forgiveness. Tell them through your paper that I shall do anything to atone for my admitted wrong doings." And the big outfielder appeared both sincere and alarmed as he said: "I shall see you when we return from Washington."

Archer G. Hayes Issues Challenge To Bar Of Nation

New York—The American Bar Association was called upon by the Civil Liberties Union today to remove its discrimination against members of Negroes as an initial step in conducting a militant fight for minorities, following its recent creation of a special committee on defense of civil rights.

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The Economics of Race Prejudice

INSULTS consistently suffered and epithets continuously unchallenged must, in the long run, lead to the loss of self-respect. After that it becomes increasingly difficult to command the respect of others. Not only is this true in the case of an individual, but races and groups likewise can forfeit their collective self-respect by persistent indifference to those insults which ridicule their members and encourage contempt for them by others.

Journal and Guide

Two recent incidents can be recalled to emphasize the point. In its July 11 issue, the weekly newsmagazine, Time, reported the horse show sponsored by Heavyweight Champion Joe Louis in Chicago, heading the article "Darkies' Horses." The epithet was purely gratuitous and could not have been brought into use without deliberation. The whole tone of the report was bitterly ridiculous. The writer must have been the type of person who would not sleep restfully with the thought of Negroes having a horse show on his mind.

8-20-38

It can be supposed that dozens of letters of protest were received by Time's editors. At least, three of them were published in the August 1 issue, one of them written by a white man who professed to be a friend of the Negro. Usually when the editors of Time are shown an error they graciously acknowledge their mistake and "gladly" set the record straight; when an ambiguous assertion reasonably is construed by a reader as injurious or insulting to an individual, group or institution, Time's editors explain, deny, clarify or apologize.

The three letters protesting the use of the word "Darkies" were printed in Time without comment, without explanation, without apology.

Norfolk, Va.

A member of the New York Yankees baseball club, Alvin ("Jake") Powell, was being interviewed recently from the dug-out in the Chicago American League park by a commentator of radio station WGN for the pleasure and enlightenment of the thousands of listeners who doubtless regularly tune in to that broadcasting unit. In the course of his remarks Powell made a "disparaging reference to Negroes." What followed was so radically distinguishable from the incident related above that it should be described at far greater length than is possible in these columns.

Powell was immediately cut off the air by alert operators at station WGN. The station, beseiged by phone calls after the broadcast, made at least a half dozen apologies, and pointed out that because of their spontaneous nature, the remarks could not be controlled. Next day, Saturday, a delegation of Negroes appeared at the park bfore the game and requested of the chief umpire that Powell be made to apologize, and that he be forever barred from professional baseball. Later they were to present a formal petition, demanding that action, to the high commissioner of America's pasttime, Judge K. M. Landis. Even before that petition could be presented, however, Judge Landis had suspended Powell for ten days, and as a result he will not be permitted to represent the New York team on the field for a week and a half. Presumably speaking for the New York club, Manager Joe McCarthy added "the commissioner's decision is all right with me."

* * * *

BESIDES presenting an interesting contrast, the two incidents clearly illustrate what is sometimes called the "economics of race prejudice." The newsmagazine Time is edited for a nationwide audience in New York, home grounds of Powell's ball club, and is printed in Chicago where the outfielder's remarks were made, and where the powerful broadcasting station of the Chicago Tribune, WGN, is located. But Time's half-million subscribers are perhaps 99 percent white. Its publishers probably would be justly as happy if all of their Negro readers parted company with them this week. It is a magazine that does not need support from colored people for its continued livelihood, and hence is just as indifferent to the sensibilities and feelings of that group as it is to the number of Negroes on its mailing list. While it is not a sporting thing to term Joe Louis' horse show "Darkies' Horses," it nevertheless is not bad business for Time to do so.

Organized baseball, on the other hand, receives a large share of its support from colored fans, and the box office reports would be a much sadder story if all the Negroes who patronize big league games suddenly decided to boycott them. And the advertisers who buy broadcasting time from WGN, and advertising space in the Chicago Tribune unquestionably would expect to pay a lower rate for those services if colored readers stopped buying the Tribune, and colored listeners persistently tuned out WGN Manifestly, it is neither sporting nor good business for professional baseball, radio stations and metropolitan newspapers to condone insulting epithets concerning Negroes.

* * * *

THAT is some progress, commendable and heartening to a group that has suffered more than its share of disparaging quips. But we must press on until every avenue of insult is closed. One of the major offenders today is the moving picture industry. The injury from that quarter is far more subtle, but it can be nailed and it can be stopped. With only rare exceptions, the characterizations of Negroes coming from Hollywood are grotesque and ridiculous. It may be true that they provoke laughs, but the simple fact that the motion picture industry so persistently types the Negro as a minstrel is responsible for the almost universal impression entertained by whites, who have no other means of learning, that colored people are essentially clowns.

Since 1934 the industry has kept itself under very strict self-censorship. The underlying motive, of course, is bigger and better business. Official and semi-official censorships in other countries largely restrict the kind of motion pictures which can be imported from Hollywood. When the business offices of the movie makers told the producers and directors that forty percent of their revenue came from abroad, they acquired a wholesome respect for the feelings of their brothers across the seas.

Mussolini doesn't consider spaghetti funny and his censors will not permit to be shown any picture which makes the national dish a subject of humor. Nor are Italians allowed to laugh at dialect comedians like Henry Armetta who spread the notion that Italy is a land of fruit vendors and organ grinders. China has forbidden the wearing of cues and forbids pictures in which they are worn by Chinese actors. Moreover the government strongly objects to pictures which portray Chinese as menials. You don't see many movies now-a-days featuring foreign villains because the governments of other countries, especially Mexico, said they would not be tolerated. Hollywood's business is to please, not offend, people, and it does not require an earthquake to awaken the producers to a respect for the sensibilities of those groups which help to keep the box offices busy.

* * * *

TEN million Negroes in this country would seem to be just as attractive a market as would the people of foreign lands who don't even speak our language. Yet the characterizations of Negroes which Hollywood gives us are an insidious form of propaganda, doing the race irreparable harm in the eyes of other races. We can and should begin trying to improve the producers' ideas about us by flooding the studios with protests every time we see a portrayal which offends or does us injustice.

If improvement is too slow we can get it quickly by deciding we just don't care to see those pictures which unjustly ridicule us. Or we don't care to attend any moving picture theatre that shows such pictures The word will reach Hollywood quickly enough, because ten million potential movie tickets a week can hold an astonishing lot of persuasion.

Discrimination–1938

Georgia
6

UNNECESSARY TREATMENT

Last week the citizens of every calling oined in making welcome the United States Steamship Savannah. The members of the crew were unstinted in expressing appreciation for the cordial reception extended. Nearly fifty thousand persons visited the cruiser and each was accorded that courtesy on board as expected from representatives of the government. The only occurrences to mar the affair was caused by a certain type of the local police. On board there was no distinction. There was no special race day or preventing of visiting any part in mixed groups; all were treated as American citizens. It is not known if official orders were issured, but the city police on the wharves caused two distinct lines to be formed of the two races. It is reported that certain officers acted very unbecomingly by speaking harshly to our people in ordering them around. It was particularly noted on a certain day that the white line kept moving continually while that of the colored remained intact. This was so noticeable that the officer of the cruiser was forced to demand that all persons be permitted to go on board regardless of lines, and in a way reprimanded the police in permitting it. There was no trouble whatever after this reprimand. Some of our policemen are officious even to the extent of transcending orders especially in the way of acting in an uncouth manner toward our people. We have a number of others who are more considerate and courteous to every one. These are the ones who are real representatives of Savannah.

RACE BARRED FROM BEACH UNTIL 11 P. M.

Whites Now Control Strip Settled By Members Of The Race

SAVANNAH BEACH, Ga. Sept. 9—Race people desiring to bathe in the Atlantic ocean cannot do so until after 11 o'clock at night, it was learned this week.

Up until recent years the beach was practically owned by Race citizens. In fact, the first man to come and build was a Mr. Williams who yet lives here.

However, a few years ago the wealthy white folk of Georgia and other southern states decided to build the place up. They bought up all of the property but that belonging to Mr. Williams—he refused to sell.

The only members of the Race besides the Williams family, allowed on the beach are those who work as domestics there, and they are not permitted to go on the beach unless they are taking their employer's dogs out to bathe—and even in that case the servant must not touch the water.

Many Race tourists desiring to see the ocean are stopped at the bridges by policemen and informed that the only Race people allowed in the town are those who work here.

Patient White: Doctor Jailed

ATLANTA, (ANP).—Believed to have been arrested only because his patient was a white woman, Dr. John W. Schultz, physician and cancer specialist of Chattanooga, Tenn., and London, Ky., was fined $100 and ordered to return to jail the amount fee paid by assessing twelve months on the chain gang by Judge Jesse M. Wood here, Tuesday.

He was charged with practicing medicine in Georgia without a license and tried in the criminal court

Appeals Sentence

Dr. Schultz, who had been held in the county jail during the two weeks after he treated the woman, posted bond of $500, and returned to Chattanooga after his white attorney, Paul W. Hughes, filed a writ of certiorari to the superior court

The physician has practiced for twenty-six years and was a second lieutenant in the medical corps during the World War.

He came to Atlanta at the request of a relative of the woman who motored to Chattanooga and brought him back. The woman had previously been under the care of white physicians, but turned to the colored specialist when they told her they could no longer be of any assistance.

At the trial, Tuesday, Mr. Hughes emphasized that Dr. Schultz came here to save a human life and while in Atlanta his services were confined solely to the patient in question.

Discrimination - 1938

Illinois.

JIM CROW RULES IN SHADOW OF LINCOLN HOME

SPRINGFIELD, Ill., Feb.—(CNA)- This Illinois captial city, the home of Abraham Lincoln - in name but not in spirit - is regarded by members of the group as the "Mississippi up North."

Crusader News Agency

Located in the heart of the State, Springfield is the hotbed of race prejudice. Its city fathers are masters in discriminatory legislation against black people. They pride themselves on "keeping the Negro in his place."

2-21-38 New York, N.Y.

Customs regarding segregation prevail here that are even strange in such a borderline city as Louisville, Ky. In fact, a Negro citizen visiting Springfield from Louisville would have to adapt himself to queer practices of discrimination and segregation that were hitherto unknown to him in his Southern abode.

Bar Race

There are drugstores, retail stores, hotels, cafes and business houses of varied types that absolutely refuse to permit a Negro to enter their premises. He may, however, as a messenger or servant, but not as a customer.

Not only does this racial barrier face local inhabitants, but it applies with equal emphasis to the Negro legislators who gather here as the occasion demands to make laws to govern citizens of Illinois.

A Negro State representative or senator has to secure lodging in a private family. Springfield hotels have "gentlemans's agreement" not to admit Negroes as guests on their premises. Special concession is made, however, when political meetings are held in the dining rooms of the hotels. But even then the Negro is segregated in certain sections of the room and conducts his private conferences in a segregated parlor.

Segregated at Bars

When the rule becomes a bit elastic and Negroes are permitted to enter the hotel, special arrangements are made as to the end of the counter on which they will receive service.

Springfield deliberately violates all codes and laws anacted through civil rights legislation in the state. Its business men, especially hotel owners and restaurant proprie tors, are well acquainted with the terms of the Illinois Civil Rights Law, but ignore it.

WHITES TAKE UP JIM CROW FIGHT AT ILLINOIS U.

CHAMPAIGN Ill.—(S N S)—White students at the University of Illinois are squarely behind the 101 Negro students here who are opposing racial discrimination in cafes and restaurants. This cooperative action has followed the recent Circuit Court jury verdict in favor of the Hanley-Lewis Confectionary Company, defendant in a $2,000 law suit brought by four colored students who had been refused service in the store's cafe.

Interested students of both races point out that because of the Jim Crow cafe rule, Negroes enrolled at the university must either buy food to be cooked in their rooms or walk across the railroad tracks to eat, that they are thus deprived of their constitutional rights.

YWCA Cabinet members (white) last week passed a resolution "approving and supporting the effort being made by the student senate to secure for the 101 Negro students on the campus their rights to eat in campus restaurants." Said Margaret Kuns, '38 YWCA Cabinet president: "Showing its feeling by a unanimous vote, the Cabinet feels that any University student upon consideration, will realize that it is only consistent with democracy that these rights be granted."

Another white student, Miss Jean Fair, '38, president of the Women's League, ridiculed the attitude of the white cafe owners thus: "Fifty of the 101 campus Negroes are girls who are served in their sorority houses, while 15 or 20 are waiters and would not eat in campus restaurants if they could.

"Campus restaurant owners are afraid they will lose business if Negroes are permitted to eat in their establishments. However, if we are able to acquaint the student body with the facts and persuade them to lay aside prejudices, the problem may be solved. We are supposed to be educated and prejudice over such a simple matter is not consistent with education.

Attention BAND LEADERS

CHICAGO, Dec. 8—It is reported from what is regarded as a reliable source that Lesters, Ltd., makers of uniforms, 14 West Lake street jim-crowed Louis Armstrong and his band members during the last week, and this is how it happened.

The members of the band Wednesday and Thursday of last week were forced to go to the basement to get their fittings. If this is the policy of the Lester company then Negro bands throughout the country should find another institution with which to spend their money.

Chicago Defender 12-10-38

Atlanta Daily World 12-15-38

West Coast Athletes Run Into Hotel Jim-Crow At Chicago "Big Ten" Athletic Meet

CHICAGO—(ANP) — Quartered with their white Pacific Coast teammates at the Soverign hotel on the Northside while awaiting their track meet with a Big Ten squad at Northwestern University's stadium last Monday evening, four colored stars packed their bags and went to the Southside to escape jim crow practices at the hotel.

The four who ran afoul of discrimination were Mack Robinson of Oregon, second in the 200 meters at Berlin in 1936; Bill Lacefield of University of California of Lesey Angeles, intercollegiate broad jump champion; Woodrow Wilson Strode of U. C. L. A. shot put star, and Leonard Spencer, California, miler.

According to Spencer, he was told he could not use the front entrance and on Friday when a wedding was scheduled at the hotel, the four athletes were told they could not eat in the dining room with the white squad members but would be served in their rooms. Angered, the boys packed their bags and moved to the Southside. Tom Berkeley, U. C. L. A. hurdler who was not competing in the meet, was already visiting relatives on the Southside.

The colored stars helped the West Coast snow under the Big Ten stars who had Bill Watson and Wesley Allen of Michigan, James Smith of Indiana, Ed Smith of Wisconsin and Dave Albritton and Charles Walker of Ohio State among their numbers. Strode won the shot put at 50 feet 3 3-4 inches when Watson, capable of 52 feet, was hampered by a back injury. Robinson was second in the 220 yard low hurdles and the third in the latter event. Watson was also second in the discus, Jimmy Smith was third in the mile run and Albritton won the high jump at 6 feet 6 5-8 inches. The others failed to place.

DANVILLE YOUTH WINS $400 SUIT

DANVILLE, Ill., Dec. 22—(Special to the BEE)—Colored and liberal-thinking white citizens here are jubilant over the verdict rendered last Friday by an all-white jury in Vermilion Circuit court, of $400 against the Lincoln theatre for discrimination against Negroes.

The suit, filed some time ago by Rev. Tobias Hutchins, pastor of the Second Baptist church of Danville, on behalf of his 18-year-old son, for false arrest against police officers, his bondsman and the theatre, was bitterly fought for over a year.

Young Hutchins went to the theatre on the afternoon of Oct. 23, 1937. The first three front seats were reserved for colored. When the youth, who found he was too close to the screen, got up and took a seat in the middle of the theatre, an usher asked him to move or accept his money back.

When Young Hutchins refused to do either, the manager and finally a police officer were summoned. The officer forced the youth to accompany him outside, where he asked where he was from.

Theatres "Run by Whites"

Young Hutchins replied: "Chicago." "I suppose you are one of those smart guys from Chicago trying to run our theatres," the policeman was charged with saying. "I want you to understand that white folks run this town and they also run the theatres, and if they tell you to sit on the stage, you sit there," he added.

Hutchins was taken to the police station and locked up for three hours. However, when he later informed the desk sergeant that he really lived in Danville and that his father was pastor of the Baptist church in the city, he was then hastily freed.

Rev. Hutchins immediately took the matter up with the Danville branch of the N. A. A. C. P. and through Attorney Nelson M. Willis, formerly associated with Attys. Earl B. Dickerson and William E. King of Chicago, filed and prosecuted the suit.

Although it was fought bitterly by some of the leading lawyers in Danville, and every pressure exerted to keep the case from coming to trial, Judge Casper Platt, who presided at the trial, refused further continuance.

PASTOR'S SON WINS LAW SUIT

DANVILLE, Ill., Dec. 29—(ANP)—An all-white jury returned a $400 verdict Friday in the Vermilion Circuit Court against the Lincoln theatre, for discrimination against Negroes. The suit was filed some time ago by the Rev. Tobias Hutchins, pastor of the Second Baptist church, on behalf of his 18-year-old son against police officer, his bondsman, and the theatre, for false arrest.

Young Hutchins went to the theatre on October 23, 1937. The first three front rows had been "reserved" for colored. Hutchins was ushered to the fourth seat, where he sat but soon found that the pictures hurt his eyes because of the closeness. He got up and went to the middle of the theatre and took a seat but a few minutes later an usher asked him to move or get his money back. The youth refused to do either. The manager was then summoned, and he still refused. It was then the manager called in an officer, who asked Hutchins to come outside and then wanted to know where he was from. He replied that he was from Chicago. The policeman said, "I suppose you are one of those smart guys from Chicago, trying to run our theatres. I want you to know that white folks run this town and they also run the theatres, and if they tell you to sit on the stage you sit there." After those remarks he put Hutchins in the squad car, took him to the station and locked him up for three hours. When Hutchins informed the desk sergeant that he really lived in Danville and his father was pastor of the Baptist church, the sergeant hastily freed Hutchins.

Rev. Hutchins took the matter up immediately with the Danville branch of the N. A. A. C. P. and with its assistance, through Atty. Nelson M. Willis, filed suit and prosecuted it to a conclusion.

Indiana

Discrimination – 1938

Indiana Draws Color Line in Basket Tourney

By MARSHALL HOOD

INDIANPOLIS, Ind. — The Indiana high school basketball tournament began last Thursday but colored high schools were excluded.

The reason for this is explained as follows: The athletic board says that the eligibility rules of the colored schools are not the same; they also state that they are afraid of interracial ill-feeling if they have mixed tournaments.

However, colored athletes are scattered all through the tournament on white teams.

Chicago Defender 3-12-38 Baltimore, Md.

Discrimination—1938

Iowa

Women Abused By Salesgirls In Iowa Store

Grand Rapids Women Refused Fitting; Store Under Fire

CEDAR RAPIDS, Ia., March (ANP) —A wave of resentment last week crystallized into a determined boycott by Negroes of the Killian Department store, following the action of store officials in discriminating against two prominent colored women, Mrs. Rosa Johnson and Mrs. Julius Carlton, who went there to make some purchases.

Mrs. Johnson is the wife of Cal Johnson, city electrical department technician, and she is widely known in Eastern Star activities. Mrs. Carlton is president of the Fidelity Club. Killian's is one of Cedar Rapids' leading stores, enjoys a large Negro patronage, many having open accounts there, but employs no colored workers.

Mrs. Johnson and Mrs. Carlton said that prior to making some purchases they had told the salesgirl they desired to have a fitting, but were promptly informed by her "We don't fit you people. If you know your size, you can make a purchase." Surprised, the women sought the floor manager, received the same information, then went to the credit manager who confirmed the Jim Crow statements of the other two employes.

Removed From Floor By Matron

Jewish Owner Of Ballroom Issues Orders

DES MOINES, Ia.—(ANP) — Fourteen young Negro couples were unceremoniously ejected from the G.O.P. victory ball sponsored by the Young Republican Club of Polk county, Ia., Inc., held at the Tromar ballroom in Des Moines last week.

The 14 couples included some of the outstanding young Negroes of the state, among them the son of the president of the NAACP, Fred Morrow, Jr., and the state chairman of the Young Negro G.O.P. club, Freddie Hawkins, of Des Moines. These couples were specifically invited to the victory ball and given invitations by order of the county, district and state chairmen of the Young Republican club of which all 14 were members.

TOLD TO LEAVE FLOOR

While several of the couples were dancing, the matron, who is under the supervision of the police department, approached them and tapped the girls on the shoulder, telling them Negroes were not permitted to dance on the dance floor and for them to get off. When the dancers asked why, the matron replied, "Why, you can't dance here. It is against the rules of the management. You will ruin the reputation and business of Mr. Archer." Those that were reluctant to leave were taken by the arm and led off. The one thousand or more guests present were shocked and immediately rushed to the matron, the manager of the Tromar and the officers of the Young Republican club to find out what had happened and why.

It finally developed that Tom Archer, independent Jewish owner of the Tromar, had ordered Mr. Bierkamp, manager, to have the matron remove all Negroes who were dancing on the floor. The Young Republicans informed the Negroes of the order and stated they were sorry about it, but there was "nothing they could do." They admitted they knew the rule was illegal, but in order to make as little a scene as possible, asked them to refrain from dancing. Hawkins, sensing the situation, told his friends to go home, and he would see that the wrongful persons would be punished.

ARRESTS EXPECTED

Atty. J. Nelson Thompson, legal advisor of the Young Negro G.O.P. club, has been retained as counsel for the group, and has declared that those responsible for this humiliation would be publicly named and prosecuted, no matter who they might be. A warrant may be issued for the arrest of Tom Archer, Bierkamp and the police matron, it was reported.

The state of Iowa has a civil rights statute which guarantees equal rights of every one in all public places. There is also an ordinance of the city of Des Moines, guaranteeing such equal rights.

4 NEGRO COUPLES 'INVITED' TO LEAVE DES MOINES DANCE

DES MOINES, Ia., Dec. 1—(ANP)—Fourteen young Negro couples were unceremoniously ejected from the G. O. P. victory ball sponsored by the Young Republican Club of Polk County, Ia., Inc., held at the Tromar ballroom in Des Moines last week.

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Discrimination – 1938

Kansas

School Of Medicine Is Target Of Kansas' Democratic Governor

TOPEKA—Governor Walter A. Huxman, Democratic Governor of Kansas, announced this week that he would have a conference with Chancellor Lindley of the University of Kansas, Lawrence, and Dean H. R. Wahl of the University Medical department relative to the jim crowism and discrimination against Negroes.

The governor said a young man came to his office a few days ago and complained that he had passed the pre-medical course at the university and was now ready to enter the medical school at Kansas City Kansas. He told the governor that Dean Wahl had told him no Negro had ever been graduated from the medical school; that the admittances were limited and he should make arrangements to go to some other medical school.

"The University of Kansas and the medical school are supported by the state of Kansas as public institutions," said the governor. "I think the Negroes are entitled to admittance the same as any other person, and that no public institution has the right to set any bars against them."

Just last Sunday afternoon a large numbers of colored citizens heard the Governor give an address on "Citizenship Responsibility" at the Pilgrim Baptist church.

At one point the governor was given an outburst of applause that lasted fully five minutes as he declared, "Just recently the matter has been brought to my attention that no Negro sudent has ever been allowed to finish medicine at Kansas University. That seems to me unfair to you as taxpayers of this great state, and though I am told that inaction has been the course of other governors on this issue, I now have the matter under investigation and intend to correct the situation. I believe and intend as long as I stay in office as governor that your right to equality of opportunity under the law shall be the same as all other Kansas citizens."

At another point the governor also got a big hand as he said, "I hate intolerance. We are all of one blood and neither democracy nor the true American spirit is in the heart of any man who seeks to array class against class, race against race, or the people of one religious belief against the people of another."

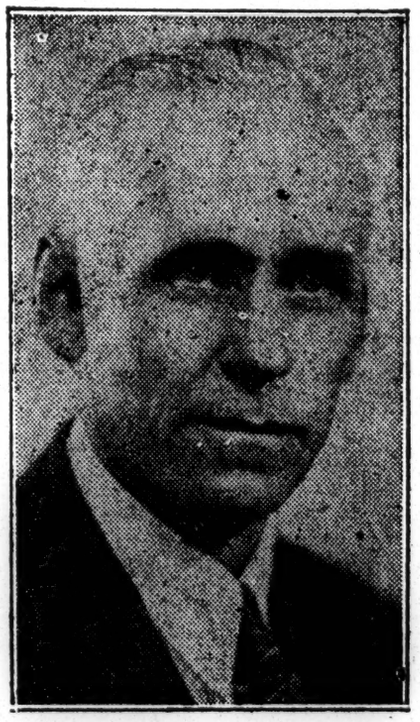
Kansas University has been a target for a number of race leaders and newspapers as the seat of breeding jim crowism and segregation in the state of Kansas. Many students attend there from Oklahoma, Texas, Mississippi and other southern states and they have caused the state laws to be violated to satisfy their desires.

Many leaders of the race in commenting on Governor Huxman's attitude on Kansas University seem to think that his stand is the beginning of the breaking down of segregation barriers throughout the state.

K. U. Medical School Must Accept Negroes

TOPEKA — Announcement was made here this week that the Jim Crow bars at Kansas University Medical School had been moved following the investigation made by Governor Huxman, Kansas' Democratic governor. The announcement was made this week by Ralph T. O'Neil, chairman of the board of regents.

Several weeks ago, Edward Williams, Ellsworth, Kansas reported to Governor Huxman that he had been denied the right to enter the Medical school. The Governor took up the matter with the school authorities and said that the state law provided that all citizens had a right to attend the Medical school.



As a result of Williams' protest, and the Governor's investigation, Williams is now attending the Kansas University Medical school, and according to one of the board members is the first Negro to enter the hospital at Kansas City as a member of the university medical class.

PASS RESOLUTION

The board of regents passed a resolution on clinical requirements for all students regardless of race, color or creed. The resolution states in part:

Applications of Kansas University Negro medical students who wish to complete clinical requirements at the university hospital at Kansas City, Kansas, will be considered on a merit basis the same as for white students.

The board approved a recommendation of the medical school's promotion committee that Edward Williams of Ellsworth, Negro, be included in the hospital class this year.

Only a limited number, those with highest scholastic requirements, are admitted to the hospital each year. The board, in its resolution, said that Negroes, whose grades permit, should also be considered for promotion.

Williams is a member of Phi Beta Kappa national honorary scholastic fraternity and meets all requirements

It only took a little more than two weeks for Governor Huxman to get action. When the matter was called to his attention, he warned the regents there could be no discrimination in state schools because of race, creed or color. Dean H. R. Wahl of the medical school was notified that Negro students, properly qualified, should be admitted—must be admitted under the law.

Kansas university has been one of the main centers of segregation and jim crow practices for a number of years. For years leaders and students have fought discrimination, but to no avail.

Kansas Med School Opens To Negroes

By ISABEL M. THOMPSON

KANSAS CITY, Kas., Aug. 11—Edward Williams, of Ellsworth, Kanses, has been promoted to the clinical year at the University of Kansas Medical School located here This information was contained in news dispatches from the state capital on August 6. And this disclosure reveals that a remarkable victory for Negroes has been won by the persistence of Kansas' Democratic governor, Walter A. Huxman.

After receiving protests of discrimination in the state school, the governor ordered the board of regents to conduct an investigation of conditions. However, the staff approved Williams' promotion before the probe had gone far. And upon announcement of the action, the board of regents commended the faculty. It was emphasized that there must be no discrimination in state schools.

It is understood that Williams, an honor student, will be the first Negro to enter the third year of the state's medical school.

K. U. MEDICAL SCHOOL DROPS COLOR BARS

Race Still Discriminated In Cafeteria And Swimming Pool

LAWRENCE, Kans., Aug. 19—The University of Kansas medical school has been forced to drop its famous discrimination practices by Governor Walter A. Huxman. Next month Edward D. Williams, Ellsworth, Kansas, will be admitted as a third year student in the school of medicine.

Heretofore only white students could get more than two years in the medical school. Those of color were forced to get their medical degree outside of the state due to the unjust practices.

This discrimination ended on Friday, August 5, when the board of regents sitting in Topeka voted to admit Williams. The board adopted a resolution that the Kansas law does not permit discrimination against Negroes in state schools. The medical school was the only professional school at the university which had a policy of discrimination on account of color.

Williams finished his second year in June.

Dean Wahl admitted to a Defender reporter that the real reasoning behind the change by the board was that the Jim Crow unit of the University of Kansas hospital in Kansas City, Kas., would soon be finished and those of our group taking medicine could be given clinical work in this unit—not in the main hospital where whites are sent.

The Race is still barred from participating in athletic events as members of the university teams and are segregated in the swimming pool and in the cafeteria. The governor, a Democrat, has promised a full investigation.

COLORED STUDENTS TO TAKE MEDICINE AT KANSAS UNIV.

School Almost Ready to Provide "Equality" for All Who Attend

Lawrence, Kans., Sept. 8—(ANP)—After barring Negroes for years from taking more than the first two years of medicine at the state university, Kansas University has changed its policy and this September will open the doors to colored students seeking their M. D. degrees.

This lowering of the bars comes about through the work of Edward D. Williams of Ellsworth, Kans., a medical student, and Walter A. Huxman, the first Democratic governor of the state in many years. Previously students after completing two years have been advised to complete their training elsewhere, and no Republican administration could be induced to change this policy.

When Williams was asked to continue elsewhere, he went directly to Governor Huxman who expressed surprise at this discrimination. When the board of regents met in Topeka on October 5th, they voted to abolish the ban. A factor in this decision was the establishment of a new Negro wing at the University of Kansas hospital in Kansas City, Kans., where the last two years of training are taken. Williams will be given all privileges enjoyed by white students except working on "white women patients" but may work on white men if they do not object.

This issue of treating patients, a necessity during the final two years at medical school, has caused all but a few accredited medical schools to bar Negroes from graduating. The University of Chicago, which has Provident hospital as an affiliated institution for medical teaching and postgraduate work, has been the only "A" grade white institution accepting Negro medical students freely.

SECOND NEGRO DENIED ENTRY AT UNIVERSITY

Kansas Medical School Is Overcrowded

KANSAS CITY, Kan., Oct. 5. (ANP)—Claiming that the school was overcrowded, Dean H. R. Wahl has refused Donald Ferguson, second colored student to apply, admission to the University of Kansas Medical school which has opened its doors to Negroes after barring them for many years.

Edward Williams of Ellsworth, Kan., whose protest to Gov. Huxman resulted in ending the color bar, is already enrolled.

Color Not Involved

When Ferguson applied for admission and was not accepted, he carried his case to the state supreme court which ordered the medical school to reveal why he was refused.

Dean Wahl said Ferguson's color was not involved. The medical school has a waiting list, and students are taken on the basis of their grades. Williams is a Phi Beta Kappa. Ferguson is high on the list, but must wait until a vacancy occurs before he can enroll.

Negro Asks Court To Force Medical School Admission

TOPEKA—Donald Ferguson, of Oak Mills, near Atchison last week filed a petition with the State Supreme Court asking writ of mandamus to compel the board of regents to admit him to the Kansas University Medical School.

Colored students have not been admitted to the medical school in the past.

Chief Justice John S. Dawson on the application of Ferguson, granted an alternative writ ordering the board of regents to admit the Negro or show cause why he should not be admitted before October 17.

Ferguson alleges that he had gone to Lawrence a few days ago and applied for admission to the medical school and that admission had been denied him because he is a Negro.

Prentice A. Townsend of Atchison, and Elisha Scott of Topeka are attorneys for Ferguson.

KANSAS AUTHORS RESIGN WHEN CLUB DRAWS COLOR LINE

Famous Members of Kansas Authors' Club Resent Effort To Set Up Cultural Barrier — "White Only" Rule May Be Stricken Out.

TOPEKA, Kas., Oct. 13—Kansas may attempt to bar Negroes from the medical school of the State University but when it comes to drawing lines against Negro writers, to setting up a cultural color line, that is something else again.

The point was demonstrated this week when the most pominent members of the Kansas Authors' club began sending in their resignations and protests after learning that the club contests this year are restricted to white Kansans.

Among those who have minced no words in condemning the action of the club are: Nelson Antrim Crawford, editor-in-chief of the Household Magazine; Karl Menninger, one of America's foremost writers on medical subjects; Dr. Charles M. Sheldon, author of "In His Steps;" Marco Morrow, assistant publisher of Capper's Publications; Senator Capper, former Senator Henry J. Allen, W. G. Clugston and Kirke Mechem, noted playwright.

Mr. Crawford, a former president of the club, submitted his resignation and protest with the following comment:

"At least three Negro writers in Kansas have produced much more significant literature than most of us white authors will ever produce." He named Claude McKay, Langston Hughes and Frank Marshall Davis as examples.

Dr. Menninger supported the position of Mr. Crawford, writing:

"I am in complete agreement with Mr. Crawford's position. In my own writing I have never been aware that the color of my skin had anything to do with the literary product.

"The action of your committee is not in line with my conception of Kansas democracy. I sincerely hope the committee responsible for the rule will reconsider its action. If this is impossible please accept my resignation."

Other members also submitted their resignations.

Harry L. Rhodes, president of the club, said that a special meeting of the board of directors would be called as soon as possible to consider withdrawal of the rule.

"I don't know how the rule got there," he said. "Apparently it was arbitrarily inserted by some member of the rules committee, and I feel sure the board will kill the clause. There is nothing in our constitution supporting such a position."

Discrimination — 1938

Kentucky.

KENTUCKIAN MOVES TO BAN JIM CROWISM

Daily Worker

Lone Legislator Is Successful In 4 Of 6 Measures

ANDERSON ACTS

LOUISVILLE, Ky. — (By Hazel Brown Williams for ANP) — Although G. W. Anderson, Jr., of Louisville is the lone Negro representative in the state assembly, he is making himself felt. Four out of six bills he recently introduced in the house have passed. He has just introduced a measure intended to prohibit discrimination of Negroes in employment on public works and buildings, and has apparently blocked passage of the bus segregation and whipping post measures.

The employment bill would prohibit any contractor doing work for the state of Kentucky from refusing to hire qualified workers because of color. If there is discrimination, offenders are liable to penalties of $10 per person discriminated against for each calendar day, to be deducted by the state, and cancellation of the contract with forfeiture of state fees due for a second violation.

A bill to replace a partition in buses to separate white and colored passengers, and a bill to provide punishment at a whipping post for misdemeanors, believed aimed at Negroes, appeared doomed after Mr. Anderson appeared before various committees and extracted pledges not to make favorable reports.

Bills introduced by the representative which would permit the use of married teachers, rural high school service for Negro boys and girls, counsel fees for lawyers defending paupers in criminal cases, and permission for Omelia Bowen Murphy to sue the state for injuries sustained in a fire at Kentucky State college have passed the house and await action in the state senate.

Discrimination-1938

Louisiana

Gets New Protest On Discrimination As Practiced By WPA Southern Officials

William Pickens Reveals Tragic Story of La. Doctor's Widow Who Is Ignored Because Her Home Is 'Better Furnished Than Whites.'

NEW YORK, Feb. 10—(ANP)—A protest against the discriminatory tactics of Southern officials in administering federal relief to needy Negroes has been made to Harry L. Hopkins, national WPA director by William Pickens, N. A. A. C. P. director for branches.

The particular case which inspired the protest was uncovered when Mr. Pickens in his recent Southern tour, visited Lake Charles, La. The wife and six children of Dr. T. A. Combre, who died last March have been denied any Federal assistance because her home is better furnished than that of 'some white people." The widow's efforts to obtain a job have been fruitless although she is certified by Hopkins' office.

It has also developed that Mrs. Combre's father-in-law, Alfred, 72, applied for old age assistance but it was denied him when it was learned that Mrs. Combre, with whom he had lived for many years, did not charge him for board and room. The decision was rendered that since he didn't have to pay for board and room, he had no responsibilities and, therefore, he needed nothing.

According to Lake Charles residents, colored are unable to get old age aid unless they have worked for many years for white people who tell officials, "This is a good old 'ni——.' He worked for us for years. Put him on pension." Then he gets on.

There was the case of one Charley Davis, who was on the old age pension roll. His checks were held up for two months. When he investigated, they told him he owned a small shack and to get help he would have to turn it over to St. Charles officials. So he carried his troubles to a white friend. Within two days the checks came and there have been no further requests that he relinquish ownership of his small property.

Negroes Denied Use of Stadium

NEW ORLEANS, La., Oct. 19 (ANP)—Although Negroes will be permitted to see prize fights in the municipal auditorium, for which they pay taxes to support like other citizens of New Orleans, they will not be allowed to use the auditorium for their own use by civic or social.

This decision is an old one, and was handed down during the administration of ex-Mayor T. Semms Walmsley who is reported to have said: "Negroes are worthless and a menace to New Orleans."

Irwin Porche, manager of the auditorium, said that he cannot permit rental of the auditorium unless the mayor gives permission. Of course, the mayor cannot be contacted on matters pertaining to renting the auditorium to Negroes; he is either too busy or not seeing anybody today. Matthew Beck, sportsman, has made countless efforts to rent the auditorium but to no avail."

Police Head Apologizes To Teacher

Unwarranted Arrest Draws Letter of Protest

NEW ORLEANS, La.—(ANP)—As a result of a letter of protest sent to Superintendent of Police Reyer by the All-Southern conference of the Youth Congress, regarding the arrest of Miss Edmonia Nelson, local school teacher, by a police officer who charged her with insulting his wife over the phone, the captain of the 12th precinct station personally called at Miss Nelson's home last week to offer an apology for the humiliation she was caused.

Miss Nelson was arrested and forcefully carried to jail by a policeman whose phone was on the same line as hers after the policeman's wife had become angered when Miss Nelson attempted to use the phone while she was talking to order something for her sick mother.

Discrimination—1938

Maryland

Law School for Marylanders

The refusal of authorities to admit David Rice, Jr., and Ura Theodore Hayes to the University of Maryland Law School raises a question that should be tested out immediately in the courts.

In returning the applications of these young men, Registrar W. M. Hillegist, white, referred to the law appropriating $30,000 in scholarships for students to study in colleges outside the State. Evidently the university authorities take the position that the temporary provisions for scholarships constitute a bar to colored students at the State university.

In his decisiion which compelled the university to open its law school to Daniel Murray, three years ago, Judge Eugene O'Dunne declared that those who studied Maryland law should be educated in Maryland law schools.

We agree with Judge O'Dunne, and, aside from this, we feel that it is important that the NAACP finance a test case to find out whether scholarships or any other subterfuge can be regarded as the equivalent of a State university.

Certainly, until Maryland provides an institution which will give training equal to that given at the University of Maryland there should be no surrender of the right to attend there.

Maryland U. Law School Mum to Third Applicant

BALTIMORE.

Samuel C. Murray, the third person to apply for entrance to the University of Maryland Law School, has yet to get a reply from that institution, it was learned this week.

Mr. Murray, who owns a sea food establishment at 1522 Pennsylvania Avenue, holds a B.S. from Howard University, class of '27, and applied to the school on Sept. 8, 1937.

His application was sent together with the required $2 fee in the form of a money order and to date he has received no reply from the university authorities, Mr. Murray is a public school teacher.

Discrimination – 1938

Maryland

35 WHITE BOSTON STUDENTS WALK OUT OF CAFE WHEN A NEGRO GIRL IS JIM CROWED

ELKTON, Md. — (ANP) —Last week when a group of Boston students — 35 white, one colored—stopped here en route to the national Youth Pilgrimage at Washington D. C., the party entered a local cafe for supper. Promptly the youngsters ordered their meals, told the waitress to "step on it."

When all the orders had been placed, the colored girl member of the party, Miss Ellswer Walker, noting she had been "overlooked," called the waitress, told her to take her order.

The waitress replied: "We don't see. Next meeting of the I. R. A. will be April 10, at St. Xavier's.

Mrs. Jennie Smith and Miss Mildred Nichols, who are ill at Sacred Heart hospital, are improved.

Miss Amy Gaither of Los Angeles, returned to Spokane several weeks ago on account of the serious illness of her mother, Mrs. Jennie Smith.

Miss Ruth Richardson has accepted a position with the Zukor dress shop. Miss Josephine Dunn is with the Cheslie dress shop.

Mrs. William Hines and daughter, Marion of Farmington, Ida., are the guests of Mrs. Kinch parlor, Mrs. Kincaid, 3511 East G[illegible]

Discrimination – 1938

Massachusetts.

Tells Why Harvard Won't Admit Colored Students To Its Medical School

Courier 3-26-38
Pittsburgh, Pa.

WASHINGTON, D. C., Mar. 24—Harvard University will not admit colored students to its medical school because of difficulty in getting adequate hospital experience for them, Dr. Mordecai W. Johnson, president of Howard University, told the subcommittee of the House appropriations committee hearings on Federal appropriations for the latter institution.

The question of admission of colored students to northern institutions arose in connection with the consideration of policy as to whether Howard should be made the educational center for colored people in this country.

"Does the Negro student primarily as a rule prefer to go to Howard or prefer to go elsewhere, or is there any way of determining that?" Representative Emmet O'Neal, Democrat, of Kentucky, asked.

No Other Place To Go

"What I am trying to get at," he explained, "is the broad policy of making this a great Athens for the colored man or whether it will gradually develop that he will go here and there and everywhere."

"On the professional level," replied Dr. Johnson, "he has nowhere else to go under public auspices in the entire Southern States, except to Howard."

"How about in the Northern States?" Mr. O'Neal asked.

Cites Harvard Set-Up

"There are schools which will receive him in medicine, for example, but a very limited number; and it is exceedingly difficult for a young Negro who goes to a medical school in the North to finish his last two years there because he gets into great difficulty in the matter of the clinics," said Dr. Johnson.

"At Harvard University, for example, there has been difficulty on this point," he continued. "In recent years Harvard University has declined to receive a Negro in the medical school on account of the difficulty of securing adequate hospital experience for him in the clinical years."

"Is that generally true in northern institutions of learning?" asked Mr. O'Neal.

Increasingly True

"It is increasingly true, I am sorry to say," replied Dr. Johnson. "But the school at Chicago Rush, is receiving them, isn't it?' inquired Representative Charles H. Leavy, Democrat, of Washington.

"'Yes," replied Dr. Johnson. "There is an endeavor in Chicago to relate the work at the University of Chicago to the Providence Hospital for Negroes. Still I was startled to discover last year, I think, that in that entire set-up there were only two medical students, according to my memory.

"The principal burden, the overwhelming burden of training Negroes in medicine falls upon two institutions, that is, Howard University, under the auspices of the Federal Government and Meharry Medical School, which is a Methodist college in Nashville, Tenn."

Howard Only Place

"But the fact of the matter is, right or wrong, that it does look as though Howard University, in the North or South, is the only place that a college man can properly pursue four years of medical training " Mr. O'Neal asked.

.."I wouldn't say that it is the only place," answered Dr. Johnson. "I would say that in view of the factual situation as we know it, it is a matter of major public concern and of national concern that Howard University Medical school should be made a first-class institution.'

Dr. Johnson said that of the 43,254 students in colored schools and colleges above the high school level, 41,067 were college students, 546 were graduate students, and 1,641 were professional students.

FIVE ARRESTED WITHOUT CAUSE, LATER RELEASED

Courier 11-5-38
Pittsburgh, Pa.

BOSTON, Nov. 3—Five members of the Federal Theatre cast of "Haiti," the now famous melodrama of the "Black Napoleon," which opened Monday night, here, at the Copley Theatre and received grave notices from local conservative dailies, had a terrifying experience according to those involved shortly after leaving the packed theatre that had been for more than two hours filled with enthusiastic Bostonians, when they were arrested on a downtown street and locked up as far as they were concerned, for no reason at all.

The actors, whose names are being withheld by the WPA theatre officials in an attempt to hush the matter, claim that five of the cast were walking in a downtown street about 1:30 in the morning on their way to get hamburger sandwiches, when a policeman accosted them. Four of the actors were white, the fifth one was colored.

The officer was said to have asked one of the white girls, "Where do you live?" and after several questions had been asked and answered, a Special Service Squad arrived on the scene and took charge. Later four of the group were taken to the station. The fifth, the second young white woman was not bothered for some reason.

At the station, the four were placed in cells and not allowed to use a telephone, and furthermore, were not told what charges were to be placed against them. It is claimed that a charge of drunkenness was put against the colored actor's name the next morning when the group was released without arraignment.

When local newspapermen heard of the arrest, they immediately sought the Central Police Station and Station Four, but failed to unearth any concrete material on the case. The only statement available was that one of the men was "picked up drunk and released when he recovered." That this couldn't be true was claimed by the five actors who showed that having been away from the stage less than an hour, where they had turned in remarkable performances, they couldn't have been drunk.

Despite attempts of the theatre officials who fear that airing the case might terminate a successful run of the play, those involved in the affair are anxious for something to be done. According to Atty. Irwin T. Dorch, president of the N.A.A.C.P., here, no one has contacted him as yet concerning the case. "If this case be true, we of Boston will not allow such a thing to stand and we will fight it to the utmost."

Attorney Dorch has in the past won many cases for the National Association.

Discrimination - 1938

Michigan.

DETROIT HOTEL SUED BY MATRON

Motor City's Belcrest Accused of Forcibly Ejecting Mrs. Pate, Who Wouldn't Ride Freight Elevator.

DETROIT, Feb. 10—A $500 damage suit against the management of the Belcrest Hotel was filed last week by the law firm of Roxborough & Taliaferro in behalf of Mrs. Nancy Pate, 36, of 15152 Inverness avenue, who charged she was discriminated against in the use of the passenger elevator and was forcibly ejected through a servant's entrance when she attempted to leave by the main entrance.

According to the attorneys for the plaintiff, the discrimination occurred December 11, 1937, after Mrs. Pate had entered the hotel in the company of a white woman. She was told by a colored girl, who operated the elevator that it was the manager's order that all Negroes had to use the freight elevator. Mrs. Pate refused to do this and rode up on the passenger elevator. However when she attempted to pass into the lobby of the hotel to inform her white companion that her business had been completed, the manager, she charged, believed to be Joeph D. Blosser, a co-trustee, roughly seized her and forced her to leave through the side door.

The case will be heard in Common Pleas Court next week.

JURY DISCRIMINATION IN MICHIGAN PROTESTED

Mt. CLEMENS, MICH.-March-(CNA.)- Immediate investigation of discrimination against Negroes as jurors has been ordered here, following affidavits presented by the United Auto Workers Union that Negroes have been systematically kept from jury panelss because of their race.

Crusader News Agency 3-7-38

The issue arose in preparation for the jury trial of Sam Sanders, a Negro worker and member of the UAW, on assault charges growing out of a recent strike in New Haven.

Prosecutor Fitzgerald admitted in court that "Negroes never have served as jurors within my memory." There are upwards of 15,000 Negroes living in Macomb County. Larry Davidow, U.C attorney, charges that deliberate exclusion of Negroes from the jury panel denies a fair trial to Sanders in violation of the Fifteenth Amendment to the Constitution.

Six jury commissioners have been ordered to appear in court for questioning.

The trial of Sanders has been put over to the April term of the Macomb Circuit Court as a result of the union's challenge.

Mich. Hospital Put Man Out

Now Detroiters Want Hospital Super Fired

By RUSS J. COWANS

DETROIT—Percy Keyes, 34-year-old unemployed automobile worker, suffered a broken spine, fractured leg, and severe internal injuries in a labor riot Wednesday at the Federal Screw Works. He may die.

Keyes is married and the father of five children. He formerly was employed at the Cadillac Motor Company, but has been idle for the past six months. His family is on the relief rolls.

Walter Reuther, white, president of Local 175 of the United Automobile Workers, in a statement, said that Keyes was on the lawn of a home near the screw works when the riot broke out between workers and police. Others, who had been with Keyes, fled at the approach of the police, but Keyes, raised his hands and surrendered.

Reuther charges that the police beat the prisoner with their nightsticks and kicked him unmercifully.

Keyes was taken to Woman's Hospital and placed in a room, but when the superintendent learned that he was colored, she ordered him out and called the police.

No Men Admitted

The Rev. Horace H. White, pastor of Plymouth Congregational Church and chairman of the legal committee of the local branch of the NAACP demanded an investigation of the actions of the superintendent of the hospital, who, he said, admitted that colored woman patients and white men patients were acceptable, but not colored men.

In a protest hearing before the Common Council Thursday, Homer Martin, president of the AWU, demanded the removal of Police Commissioner Henrick Pickert by Mayor Richard Reading.

Say Detroit Hospital Refused Admission To Negro Severely Hurt

DETROIT, Mich. — Police brutality, coupled with a hospital's alleged indifference, may permanently cripple Ferry Keyes, Auto Workers Union member, according to a statement issued by Walter Reuther, white, president of Local 174, A.W.U.

Keyes' back was smashed by police clubs during the Federal Screw strike here. Although telephone arrangements were made with the Women's Hospital for hospitalization, the superintendent is said to have refused to admit Keyes because he was a Negro. Keyes was forced to lie for an hour and 45 minutes without medical treatment.

"Later he was taken to Harper Hospital, where he was found to have a broken back, probable skull fracture, fractured knee cap and innumerable bruises and internal injuries," Reuther said.

Keyes' first words to a group of visitors, led by Paul Kirk, Negro union leader, were: "They broke my back, Kirk, but they cannot break the back of the workers."

He accused the police of singling him out for attack. Only the fact that white workers rallied to his defense on the picket line prevented an earlier attack, he said. When the police finally attacked the picket line, several white workers took him a block from the scene, Keyes related, "because they saw that the police were determined to single me out. They want to keep white and Negroes from joining hands in a common fight against wage cuts."

The union is organizing a campaign to oust the superintendent of Women's Hospital. "This issue should arouse every worker and progressive in this city," Paul Kirk declared. They must "demand that Keyes' family is properly taken care of by the city. Anything that happens to Keyes while he is in the hospital is the responsibility of none other than Mayor Reading and his police department."

Charge Proprietor Of Pharmacy Choked, Maltreated Woman

Ray Zorcorsti Dubbed As Old Offender of People Of Race; Folk to Hold Confab

FLINT, Mich. — (WNS) — Mrs. Grace Portis of 839 1-2 Carlton street was subjected to gross humiliation and bodily harm at the hands of Ray Zorcorsti, the proprietor of Ray's Industrial Pharmacy Friday, November 3. It is alleged on good authority that Ray not only came from behind his counter and choked Mrs. Portis, but that he deliberately threw her out of the door.

CONTROVERSY OVER PENNY

It appears that Mrs. Portis sent her little girl to the store to buy one penny's worth of candy. Ray did not give the child the candy that it came for, a candy with a medicinal value. When Mrs. Portis went to the store to remonstrate about it, Ray became infuriated and the abuse resulted.

It is to be rembered that Ray is an old offender when it comes to the mistreatment of Colored women. Some years ago a similar case occurred. In this case the woman sued Ray and was awarded one hundred dollars.

SAYS HE DOES NOT NEED "N----"

Ray's Industrial Pharmacy is situated on Industrial Avenue and Addison Street. It is convenient to the Negro community and has enjoyed wide patronage. This patronage has made Ray a comparatively rich man. He feels that he no longer needs the patronage of the group. It was reported to a Brownville News reporter that Ray said as a sequel to the altercation that he did not need any "n----" business.

A Mass Meeting has been called at the Metropolitan Baptist Tabernacle for Sunday, November 13, at which time the Negro group will decide what action to take in retaliation for Ray's intolerance.

Kappas Will Probe Housing Of Colored Students In Big 'White' Universities

Fraternity Will Also Continue Fight Against Use of Photographs in Civil Service at Detroit Conclave, Dec. 27-30.

DETROIT, Dec. 8 — (ANP) — Improving the housing conditions of Negro students in "white" universities; continuing the fight against the use of photographs in civil service examinations; broadening the base of its "Guide Right" movement, and several other matters will be discussed at the 28th annual meeting of the Kappa Alpha Psi fraternity when it meets here December 27-30, according to the program made public this week.

The organizations will also announce its annual achievement awards, consider a recipient for next year's Laurel Wreath, its highest leadership honor, and gear its program to be of larger service to undergraduates and to those movements working for racial progress. On the eve of the conclave's opening, the national board of directors will meet, followed by a pre-convention dance sponsored by Alpha Phi Alpha fraternity for both the visiting Kappamen and sorors of Alpha Kappa Alpha, which is also meeting here.

On Tuesday morning, Dec. 27, at 8:30 o'clock, the Grand polemarch, Attorney Theophilus Mann, of Chicago, will be heard in a radio address, after which the business sessions will begin at the Brewster Community Center, headquarters of the convention. That same evening, A.K.A. and Kappa will hold a public meeting at the beautiful Detroit Art center.

Luncheon meetings will be held with the Booker T. Washington Trade association and Sigma Gamma Rho sorority as hosts; the Deltas will give a formal dance and the closed Kappa banquet is scheduled for Thursday at 6 p.m., at Club Plantation. One of the highlights of the conclave week will be the recital by Marian Anderson, international contralto, who will sing Wednesday evening, Dec. 28, under the auspices of her sorority, A. K. A.

Fred Hart Williams, statistician with Wayen County is chairman of the conclave committee; Louis C. Blount, insurance company manager, is polemarch of the Detroit Alumni chapter, the hosts: W. St. Clair Billups is polemarch of the Alpha Beta chapter of undergraduates.

Discrimination - 1938.

RACE FIGHTS FOR FRONT WINDOW JOBS IN MOTOR CITY POSTOFFICE.

Affidavits Charging Various Discriminations Filed with Election Committee in Washington by N.A.A.C.P. Head.

By S.T. Holland.

Detroit, May 12,-- Charges of racial discrimination in the Detroit Post Office have been made by the Detroit Branch of the National Association for the Advancement of Colored People in five affidavits filed with the Ellender Committee in Washington,D.C., it was learned last week from Dr. James J. McClendon,President of the Detroit N.A.C.P. Branch.

In addition to the affidavits charging systematic exclusion of Negro employees from window services and preferred jobs, despite the fact that many have been in the service from ten to fifteen years, appeals have been made to Postmaster General James A. Farley, Governor Frank Murphy and Senator Prentis M. Brown, to remedy this condition.

Investigations by the Detroit N.A.A.C.P. and Postal Alliance as to why Negro clerks sent to various sub-postals were denied stamp stock, Dr. McClendon said, drew the following ststament from Assistant Postmaster Peter Wiggle:

> "No Negro will serve at Window service as long as I have anything to dowith it."

Accusing Postmaster Roscoe B. Huston of doing absolutely nothing in this direction,despite his declaration that Wiggle's ststament was not his attitude, the militant N.A.A.C.P. head asserted, "We shall never cease fighting this unfair condition until the colored employees in the postal service are treated the sameas others.

Of a total of 606 Negro employees in the Detroit Postoffice, only two are supervisors, 91 in the Custodian's Department, and the majority serving as clerks and carriers.

Courier
5-14-38
Pittsburgh, Pa.

Michigan 6

MUSKEGON CITIZENS UNITE FOR FIGHT ON LOCAL SEGREGATION

MUSKEGON, Mich., July 1 —Over 300 local citizens gathered to protest establishment of a proposed separate bathing beach here, heard an address by Assistant Attorney General John H. Young at Reliable hall, Sunday, June 12.

The meeting convened in response to a call issued by the National Association for the Advancement of Colored People following numerous previous instances of attempted segregation in municipal institutions.

The citizens group is organized under their president, Mrs. J. O. Garland, who delivered an address. Benjamin Newton was another of the speakers who appeared on the program.

Assistant Attorney General Young paid high tribute to the N.AA.C.P. in course of his address, and warned the assembly of the necessity of protecting the civil rights.

Detroit Cafe Is Sued for Not Serving Negroes

DETROIT, Sept. 8 — (CNA) — Judge George Murphy of Recorders Court this week signed a warrant charging violation of civil rights against the white proprietor and employes of a cafe at 210 Monroe avenue who are alleged to have refused to serve five Negro members of the United Automobile Workers union.

Paul Kirk, 7580 Richmond avenue was the complainant. The warrant was recommended by John K. Graham, assistant prosecutor.

The defendants named were Chris Marx, 15326 Wark avenue, proprietor, who claimed he was not in the cafe at the time of the incident; Peter Johnson, bartender, and an unidentified waitress.

Eject St. Louis School Teacher From Steamship

DETROIT, Mich., (ANP) — Four women, three of them school teachers were ejected from the S. S. Alabama of the Kirby Steamship Line after purchasing tickets for a Monday cruise to Georgian Bay. The travelers were Mrs. Lowell Baker, who teaches in Detroit; Miss Anna Smith a teacher from Windsor, Ontario; Mrs. Georgiana I. Dickson a St. Louis school teacher and her sister. Mrs. Dickson had bought the reservations for her sister and herself prior to leaving St. Louis a month before, but the purser followed them to their state room, insisting the reservations belonged to people from Cleveland and demanded that they leave the boat.

Mrs. Baker and Miss Smith were given the same type treatment. All of them retained their tickets and the keys to their staterooms which had been issued to them. Mrs. Dickson refused $103 refund.

The Detroit branch of the NAACP is handling the case. Attorneys Francis Dent and Henry Sweet representing the branch said that the general passenger agent had promised to make an investigation of the case but that a suit for violation of the civil rights act would be filed.

Discrimination-1938

Minnesota

Seek To Break Barriers To Minnesota 'U' Dormitories

Student Says Administration Backs Policy of Non-Admission and Refuses Proper Presentation Before Board of Regents

MINNEAPOLIS, Feb. 10—(ANP)—Prompt support has been pledged by the Minnesota Negro Council to student organizations in the fight against discrimination in the dormitories at the University of Minnesota.

Warren Grissom, student at the University, presented the case at the council meeting last Sunday at the Sterling Club in St. Paul and was assured of full support of the council in an effort to once and for all times settle the issues of the dormitory situation at the University. Mr. Grissom charged the administration backed a policy of non-admittance of Negro students to the dormitory facilities provided by the State at the University, and further, that the administration refuses to allow the matter a proper presentation before the Board of Regents, while on the other hand issuing statements that there is no discrimination at the University and that Negro students prefer not to live in the dormitories.

The matter was referred to the council's executive committee when the assurance that every effort on the part of the council will be exerted to assist in wiping out this condition at the University.

Ethel Ray Williams, secretary of the council, states this dormitory situation affects 75 Negro students now in attendance at the university.

Minnesota U. Head Blasts Color Bar

MINNEAPOLIS, Minn. — Declaring that colored students may make use of all facilities of the institution, Dean Guy Stanton Ford, acting president of the University of Minnesota, last week deplored the action of residents of student co-operative cottages in voting to bar a colored co-ed.

The girl barred on the basis of race was Audrey Beatrize of Turtle River, Minn. She was graduated from the high school in her town and came here with a group of white schoolmates.

Students Voted Ban

When Miss Beatrize applied for admission to one of the cottages, one of the officials suggested a vote. The tally was 60 to 44 against Miss Beatrize's admission.

Dean Ford stated that the action of the co-operative girls could not be interpreted as the policy of the university. He said that he was disturbed over the possibility that those who had taken a prejudiced stand would be held to a stand of false consistency for life.

Keeps Doors Open

The acting president sent the university daily a copy of a letter in which he advised school officials that there should be no question of the admission of any student to campus facilities provided that precedence to residents of the State.

MINNEAPOLIS, Minn., Feb. 10 (ANP)—The University of Minnesota went on record formally on February 1 approving admission of Negro students to university dormitories and co-operative cottages after students refused to vote a Negro girl admission to one cottage. Dean Guy Stanton Ford, acting president, in a letter to the Minnesota Daily, (a University publication) enclosed what he said "may be accepted as the university policy until the regents take other and contrary action, and that I do not anticipate."

The Minnesota Negro Council recently pledged its support, together with inter-racial and other Negro organizations to fight what appeared to be segregation through to some decision. The recent appointment of liberal members to the Board of Regents, and the absence of President Coffman (on sick leave) are considered the reasons the present action of the Regents became effective after many years struggle. A formal note from the Minnesota Negro Council has been sent to the Board of Regents commending them on removing this blight of discrimination from the State of Minnesota.

Discrimination – 1938

Missouri.

Legionaires Fight Ban at Fulton Camp

Payment for registration of Louis Cloyd Jr., sent to the Boys' State training school at Fulton sponsored by the State Legion, was returned by Comm. Hollomon of Tom Powell Post. Legionaires immediately took action to direct representatives of the Boys' State that a clause restricting the camp to "white American boys" had been stricken from the minutes at a meeting in St. Louis last week. Alexander Evans, Comm. of Jake Linder Post made a stand against the restriction at the meeting.

M. U. CASE APPEAL TO U. S. COURT

Ask Reversal of Missouri Supreme Jurists' Decision

WASHINGTON. — The National Association for the Advancement of Colored People filed on May 24 a petition for a writ of certiorari and supporting brief in the U. S. supreme court seeking to reverse the judgment of the supreme court of Missouri, denying Lloyd L. Gaines, a St. Louis student admission to the law school of the University of Missouri. The petition was based on the 'equal protection' clause of the fourteenth amendment.

Gaines applied to the law school of the University of Missouri in 1935. The university authorities rejected him on the grounds that it was against public policy in Missouri to admit Negro students to the University of Missouri and that the Missouri legislature had provided for professional study by Negroes through the Lincoln university (Mo.) act of 1921.

The Lincoln university act provided that the curators of Lincoln university in their discretion could expand Lincoln university whenever necessary, to include courses offered by the university of Missouri, and pending the expansion of Lincoln university, they should pay the tuition of Negro students of Lincoln university in adjacent states.

No Expansion Funds

No money for the expansion of Lincoln university has ever been appropriated and Gaines rejected the tuition scholarship on the ground that it was not equivalent to the course of law offered at the University of Missouri.

Among the points made in the petition was that the University of Missouri admits not only white Missourians but white students from other states and other countries; also Hindus, Indians, and every other race except the Negro race, which helps to pay the taxes to maintain it.

The brief also pointed out that it was a denial of citizenship rights for a state to educate white students at home and exile Negro students abroad.

There are 16 states which exclude Negroes from the state universities: Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, South Carolina, Oklahoma, Tennessee, Texas, Virginia and West Virginia. Of these states, Kentucky, Missouri, Oklahoma, Tennessee, Virginia and West Virginia have scholarship laws providing out-of-state scholarships for Negro students, but there is no uniformity among the provisions of the scholarship laws.

Although the University of Maryland was opened to Negro students by court order in 1936, nevertheless, Maryland has a scholarship law and gives Negroes out-of-state scholarships as a practical inducement for them not to try to attend the state university.

May Go To Supreme Court

The Missouri supreme court held that it was equal protection of the laws for the state of Missouri to give Gaines a tuition scholarship and exclude him from the University of Missouri, on the ground that the scholarship would enable him to pay less for his education than a white student does at the University of Missouri, because the white student has to pay tuition.

The N. A. A. C. P. brief pointed out that the fourteenth amendment is a prohibition on the states and it is the states which are forbidden to deny persons equal protection of the laws.

The test of equality under no circumstances can be whether a Negro student outside the state has to pay as much for his education as a white student inside the state, but whether the state itself does more for its white students than it does for its Negro students.

The force of this is realized when it is considered that state scholarships for Negroes in Missouri total only $7,500 per year against an appropriation of more than $500,000 for the University of Missouri.

The University of Missouri has forty days to answer the petition. The court will then decide whether the writ of certiorari is granted. If the writ is granted the case will be argued in the fall after the U. S. supreme court convenes for its October term.

Golfers Sue When Refused Right To Preferred Course

By ISABEL M. THOMPSON

KANSAS CITY, Mo., July 14—"We want the right to play on both Swope Park Golf courses whenever they are open for use," was the statement made by Attorney James Herbert, who represents four members of the Heart of America Golf club, in a mandamus suit filed here Friday, July 8.

The action grew out of an incident occurring the same day. A foursome of club members had attempted to purchase tickets at No. 1 and No. 2 courses but were refused the right. Shortly thereafter, suit was filed in the Jackson County Circuit Court by Roy J. Barker, James W. Elliott, Thomas A. Webster and Morris Herndon, all prominent citizens.

The 100 members of the Heart of America Golf club, an association of Negro golfers in the Kansas cities, are backing them.

Their main contention: That, as taxpayers, they help provide maintenance and improvement of all city property, and that refusal of permission to play is a violation of the Constitution of the State of Missouri of the Constitution of the United States of America, and of the City Charter of Kansas City, Mo.

They further allege that such action is a breach of the grant made by the late Colonel Thomas H. Swope, who had stipulated that there should be no segregation in the park.

Defendants named in the petition are: The City of Kansas City, Mo., Mayor Bryce B. Smith and three members of the park board, James E. Nugent, William F. Newton and Robert W. Gees.

Attorney Herbert, who is an ardent civic worker, stated that Negroes have been permitted to use No. 2 course only on Mondays and Tuesdays. No. 1, the preferred green, has never been available to them. He recalled that, 10 years ago when he first began practice here, a mandamus suit was filed for similar reasons. The case went to the Supreme Court of Missouri but was lost, because plaintiffs failed to prosecute to the conclusion.

Important Issue To Be Settled

Equal Educational Opportunity Was Denied, Is Claim

WASHINGTON, D. C.—The Supreme Court of the United States agreed on Monday to hear argument on writ of certiorari in the case of Lloyd L. Gaines, of St. Louis, who is suing the University of Missouri for admission to its school of law.

The case is expected to be heard about November 7. The NAACP is handling the case and Charles H. Houston represents Gaines.

Gaines is a native of Mississippi. He has been a resident of Missouri for 13 years. He graduated from the Vashon High School in St. Louis in 1931 and Lincoln University at Jefferson City, Missouri, in 1935.

He applied for admission to the law school of the University of Missouri. Admission was deinied him. He brought action for a writ of mandamus in the Circuit Court at Columbia, Missouri, the seat of the university, to compel his admission into the law school.

The writ was denied Gaines in the summer of 1936. An appeal was taken to the Supreme Court of Missouri. It affirmed the lower court on December 9. A petition for ceritorari was filed in the United States Supreme Court on May 24.

HAS FEDERAL ASPECTS

His suit involves the sole question of the right of a state to offer white students a legal education at a state university and deny it to colored students without making provisions for educating them elsewhere in the State. The equal protection clause of the fourteenth amendment gives the case its federal aspects.

While the National Association for the Advancement of Colored People has pressed this question in several states, this is the first time the issue has been presented to the Supreme Court of the United States.

Incidentally, the question so far as the State of Missouri is concerned had its beginning in 1921 when Walthal Moore, a colored member of the Missouri legislature, introduced a bill to make Lincoln Institute a university with the same departments and the same courses as the University of Missouri.

His bill provided an initial appropriation of $500,000 out of the common school funds of Missouri, but the Missouri Supreme Court declared the appropriation unconstitutional on the ground that under the state constitution, common school funds could be used only for the public schools and the University of Missouri.

A provision in the 1921 act authorized the Boards of Curators of Lincoln University, pending full development of that institution to arrange for the tuition of colored students at institutions outside of the state to take the same courses offered to white students inside the state.

When the $500,000 appropriation was declared unconstitutional, no scholarship funds were available until 1929 when the legislature appropriated funds for this purpose.

In 1933 the Missouri legislature passed an act reducing the scholarships from full tuition to the difference between the tuition at the state university and the out-of-the-state school, so that if a colored student went out of the state and his tuition at the out-of-the-state institution was less than the tuition at the University of Missouri, he got nothing.

An example of the working of this arrangement is the University of Iowa. Tuition at Iowa is less than at the University of Missouri. As a result, colored students from Missouri pursuing a course at that institution offered to white Missourians at the University of Missouri had to pay their own tuition.

APPLIED IN 1935

This rule was in force at the time Gaines made application for admission into the law school at the University of Missouri in 1935. One of the favorable results by the National Association for the Advancement of Colored People in the Gaines case is that the Missouri Supreme Court declared that the state could not pay the difference in tuition between the state institution and the out-of-the-state institution.

Negroes Resent Segregation Idea; Stay Away From Goodman Concert

Colored Clerk's Circle and St. Louis Urban League Lead Campaign to Acquaint Negroes of Actual Facts.

ST. LOUIS, Sept. 29—As the result of a campaign launched by the Colored Clerk's Circle and the St. Louis Urban League, Negro patrons of the Benny Goodman swing concert at the Municipal Auditorium last night were conspicuous by their absence.

When it became known that Negroes were to be the victims of segregation in the municipally-owned tax-supported building the Urban League together with members of the Clerks' Circle distributed handbills in all colored districts of the city while executives of the Urban league sought to pin down promoters of the affair. They reported the following results of the investigation:

"Two members of our staff (David V. Essex and Arnold B. Walker) called at the Aeolian ticket office September 19 to purchase tickets for the occasion. These persons were advised that seats were being sold to Negroes in two sections only, regardless of their desire and willingness to pay the required amount to be near the orchestra. Feeling that possibly this was a ruling of this particular ticket office, no purchases were made, but the person in charge of the Municipal Auditorium ticket office was contacted, who not only affirmed the above and apologized for the discrimination, but further stated that whites, for the sum of $1.12 upwards sitting on he mezzanine floor, would be permitted to dance. Under no circumstances would Negroes be permitted to dance."

Immediately following this conference handbills were distributed which read in part:

"You can pay your 85c or $1.15 to see them but Negroes won't be permitted to dance. Let's have a sit-down strike at home—turn on the radio and hear them without being there and taking insults."

The outcome of the campaign was that colored swing fans stayed at home and left the field open to white jitterbugs who, according to other reporters, cavorted wildly until the wee hours.

Granted Petition to Protest Color Bar

WASHINGTON, D. C.—(ANP) The United States supreme court last week granted the petition of Lloyd L. Gaines, St. Louis student, for a review of the decision of the Missouri supreme court denying him a writ of mandamus against the curators and registrar of the University of Missouri to compel them to enroll him as a first year student in the university law school.

Gaines was denied admission to the law school on the ground that the state constitution and the statutes as interpreted by the Missouri supreme court prohibited a Negro from attending the university and that adequate provision for study was granted under the Lincoln university act of 1921 which provided that the equivalent of the state university courses should be available for Negroes.

The Missouri supreme court in December, 1937, upheld the university by dismissing Gaines' petition for a writ of mandamus. In his appeal to the U. S. supreme court, Gaines contended that the Missouri constitution and law violated the "equal protection" clause of the federal constitution.

The university's rief in opposition to the granting of a writ of certiorori, as petitioned y Gaines, asserts that Gaines' refusal to accept the facilities open to him under the Lincoln university act strongly suggests that his real purpose is to lend his name as litigant to those interested in upholding a movement to bring about social equality between whites and Negroes." Such a question, the brief maintains, is not one "which can be settled by laws or judicial decisions."

If Gaines had accepted the "opportunity" open to him, as defined by the university brief, he would have had the right to call upon Lincoln university curators for an education in law; and it would then have become the mandatory duty of the curators to establish a school of law in Lincoln university up to the standard of the law school of the University of Missouri, and, pending that, to arrange for petitioner's attendance at a school of law in any one of the four adjacent state universities which petitioner might select and to pay petitioner's tuition fees therein.

Civil Liberties Union To Enter Gaines Case

ST. LOUIS, Mo.— (ANP) — Charging that equal protection of laws guaranteed by the 14th Amendment to the U. S. Constitution had been denied, the American Civil Liberties Union will file a brief emicus curiæ in behalf of Lloyd Gaines, St. Louis, Mo. Negro student, in his appeal to the U. S. Supreme Court for an order compelling the University of Missouri Law School to admit him. The high court, early this month, agreed to review the case.

CIVIL LIBERTIES UNION TO ENTER GAINES' U. OF MISSOURI CASE

ST. LOUIS, MO., Nov. 10 — (ANP)—Charging that equal protection of laws guaranteed by the 14th Amendment to the U. S. Constitution had been denied, the American Civil Liberties Union will file a brief emicus curiae in behalf of Lloyd Gaines, St. Louis, Mo., Negro student, in his appeal to the U. S. Supreme Court for an order compelling the University of Missouri Law School to admit him. The high court, early this month, agreed to review the case.

When Gaines, a graduate of Lincoln University in Missouri, applied to the University of Missouri Law School for admission in 1935, he was refused entrance chiefly on the ground that he was a Negro. A writ of mandamus, sought by attorneys for the NAACP was refused by the Circuit Court of Boone County and the decision affirmed by the State Supreme Court last December. The university held that Lincoln University was not an accredited school. Attorneys for Gaines contended the Negro college is accredited and that Negroes are denied higher educational opportunities in Missouri equal to the opportunities of whites.

The School of Law of the University of Missouri is the only public institution in the state offering instruction in law. Lincoln University offers no professional or graduate work.

Gaines Case Aired Before U. S. Supreme Court

Applicant Denied Equal Rights Houston Claims

WASHINGTON, D. C. — The United States Supreme Court was asked last week to require the State of Missouri to afford colored persons equal protection of law by admitting colored graduate and professional students to the University of Missouri, or providing a substantial equivalent.

The question was brought to the Supreme Court by the National Association for the Advancement of Colored People in the case of Lloyd L. Gaines, a graduate of Lincoln University at Jefferson City, Missouri, who was denied admission to the Law School of the University of Missouri.

The opening argument was made by Charles H. Houston, special counsel for the NAACP. The court listened attentively to him as he analyzed the facts and the law in the case. He was followed by Sidney Redmond, a lawyer, of St. Louis, who represented the university.

Mr. Houston pointed out in the opening agrument, that Gaines met the entrance requirements and duly made application, but was refused admission solely on the ground of race.

A scholarship to a law school outside the state, offered Gaines, was no equivalent to admission into the Law School of the University of Missouri, Mr. Houston contended.

Mr. Houston traced the legislative history of the authorization of tuition to be paid for colored students at an out-of-state institution for professional study not provided at Lincoln University.

He first pointed out that Lincoln had been founded as Lincoln Institute in 1866 out of company funds of the 62d and 65th of the United States Colored Volunteer Infantry, which had seen service in the Civil War.

ACT OF 1921

The legislature of Missouri in 1921 passed an act providing for the reorganization of Lincoln on a university basis comparable with the University of Missouri. Pending the full development of Lincoln University, the act authorized the board of curators to arrange for the attendance of colored students from Missouri at an institution in an adjoining state for graduate or professional study not offered at Lincoln.

Mr. Houston said an initial appropriation of $500,000 out of the common school fund was made, but Missouri Supreme Court held the appropriation unconstitutional because the State constitution limited the use of common school funds to the public schools and the University of Missouri.

After the appropriation was declared unconstitutional, Mr. Houston stated, no scholarship funds were provided until 1929. But in 1933 the legislature passed an act reducing scholarships from full tuition to the differential between the state institution and the out-of-state school.

Mr. Houston pointed out that under this act, if a colored student entered an institution in an adjoining state, and the tuition was less than at the University of Missouri, that student received no aid.

DENIED EQUAL PROTECTION

Such a student, Mr. Houston reasoned, is denied equal protection of law and due process of law by being excluded from the single state-supported university, and the state has not offered him a substantial equivalent.

Mr. Houston emphasized the public importance of the case. He pointed out that it was the first to reach the Supreme Court involving the question of graduate and professional education for colored people.

He said there are about 16 states which deny colored students admission to state universtities, and only seven of them have scholarship provisions.

The only two cases decided by state courts involving the question he declared, were the cases in Maryland, where the court issued a mandatory injunction directing the admission of a colored student in the Law School of Maryland University, and the Gaines case in Missouri, where the court held the colored student need not be admitted.

NO STATUTORY PROVISION

Mr. Houston told the court there was no statutory provision prohibiting the admission of colored persons to the state university in Missouri. "Perhaps," he declared, "the State of Missouri thought Negro children would never reach the University of Missouri."

He ridiculed the argument of the state that Gaines' remedy was against the curators of Lincoln University and not against the curators of the University of Missouri, and that if he had applied to Lincoln instead of to the State university arguments would have been made for his legal education.

He pointed out that students from out of the state, Hindus, Mexicans Chinese, and all other people are admitted to the University of Missouri except persons of African descent.

He also ridiculed the question of social equality raised in the brief filed in behalf of the University of Missouri. He may have shocked the eight justices, though they showed no traces of shock, when he told them that evidence of social equality was writen into the features and complexions ofcolored people.

"But when the grandchildren of Negro slaves want to exercise rights as citizens," he declared, "to talk about social equality is a smoke screen—nothing but a smoke screen to deny Negroes their rights."

Sitting on the bench at the time were three Southerners, Justices James C. McReynolds, Hugo L. Black, and Stanley F. Reed, and a Westerner, Justice Pierce Butler.

Justice Harlan F. Stone, who was dean of Columbia Law School, followed the argument of Mr. Houston intently.

The University of Missouri "belongs to white people," and any insistence on the contrary connotes a desire on the part of Negroes for social equality with whites.

These were the views expressed at the hearing by counsel for the University only after severe questioning on the part of the justices caused defense counsel to admit that this was the reason for the University's exclusion of Gaines from its law school in September, 1935, on the grouhd that he is a Negro.

To the "seeking social equality" charge made by Fred L. Williams of St. Louis and Wm. S. Hogsett of Kansas City, counsel for the university, the N. A. A. C. P. lawyers replied that Negro citizens did not intend to allow any cry of social equality today to scare them out of exercising their constitutional rights.

The full bench of eight justices sat during the argument, except that Mr. Justice McReynolds left the bench after N. A. A. C. P. counsel had finished their argument, and when counsel for the university were half through. All the Justices participated in questions to counsel except Mr. Justice Reed who said nothing during the entire argument.

Most of the questions were directed to counsel for the university, who were frequently forced to correct over-statements which they were making trying to show how exceedingly generous Missouri had been in supporting Negro education.

The University's counsel contended that Missouri is the pioneer, and probably the only state where a public university for Negroes has been set up on an equal plane with that for whites. Gaines is a graduate of that school, Lincoln university. He should have applied there for a law course which could have been organized for $10,000, but in the meantime the state would have paid $150 a year tuition at public universities of any of four adjacent states, Illinois, Iowa, Kansas and Nebraska, which do not bar Negroes.

NOT MANDATORY

Williams argued that the Missouri supreme court has made it mandatory upon Lincoln to establish a law course if it is requested to do so by only one applicant. Justice Roberts protested that the word "mandatory" could not be applicable because of the existence of an alternative system of out-of-state scholarships.

The chief justice inquired why, if setting up a law course was made compulsory on Lincoln university by the Missouri Supreme Court, that tribunal "did not order forthwith that Lincoln establish a law school?" He pressed a further question as to whether the Negro university was in a financial position to do so.

Williams replied that on the day Gaines filed his suit, Lincoln university had an available balance of $311,000, of which $138,000 was alloted to salaries for teachers and instructors. Chief Justice Hughes continued by asking whether "this sum had not been budgeted to the end of the year," and whether Lincoln, like most universities, did not have chronic deficits.

LINCOLN DEFICITS

The attorney replied that the money had in fact been allocated and that Lincoln has a deficit of from $12,000 to $15,000 every two years. He added that there has been but a single instance in which the legislature refused to make such supplementary appropriations as Lincoln requested.

Williams said that Lincoln already has the classrooms and buildings for a law course, and that, four blocks away, there would be open to Negro students the legal library of the Missouri supreme court, "one of the best in the country, comparable even to that of the United States Supreme Court."

"My experience with universities is limited," smiled Chief Justice Hughes, "but my impression is that there is usually some difficulty in adding even $10,000 to a college budget already prepared."

Scholarship Out of State No Equivalent

When the university's attorneys declared one of the non-debatable issues to be "the constitutional right of a state to segregate the white and black races in educational institutions," Justice Stone interposed:

"That is the law in some states. But there is also a national point of view, which is opposed to racial discrimination."

QUESTIONS "EQUALITY"

"How can you say," demanded the chief justice, "that Negroes have equal educational opportunities in Missouri, when they are compelled to leave their own state to find such equality of professional training in other states?"

The reply was that Negroes, through the system of out-of-state scholarships, have an advantage of about $10 a year over white students.

"Do you mean to suggest," interrupted Justice Black of Alabama, "that a pecuniary payment would be adequate compensation for loss of civil rights?"

Justice Brandeis inquired whether there is any specific statute forbidding Negroes to matriculate at Missouri university. He was informed that Missouri has no such law, but that the rejection of Negro students has been held by the state supreme Court to be a question of public policy. Justice Butler wanted to know the number of Negro lawyers in Missouri.

He was told there are 35 in St. Louis, 15 in Kansas City, and one in Jefferson City; and that during the last five years three Negroes have been admitted to the Missouri bar. Without exception, he was informed, these attorneys were trained at schools outside Missouri.

Attorney Hogsett declared that in the history of the University of Missouri, Gaines was the first Negro to apply for entrance to its law school; and that he refused to answer, by advice of counsel, whether he would have attended a legal course at Lincoln if a special one had been set up for his individual benefit.

THE GAINES CASE AGAIN

Another epoch in the history of Missouri relative to Negroes, was dramatized before the United States Supreme Court last week, when the highest tribunal in the United States heard the case of Lloyd L. Gaines versus the University of Missouri, in which the former sued for admission to the law school. The dramatic part played in this case was the scene where two Negro attorneys, Sidney R. Redmond of St. Louis, and Charles H. Houston of Washington, told most eloquently, but with restraint, how Gaines had been denied admission to the University of Missouri solely because he happened, in the course of human events, to have been born colored.

On the other side of the table were two white attorneys who endeavored to show that Negroes of Missouri had no right to attend this state supported institution.

One writer, in describing the scene, said, "It was a battle of wits in which the Negro lawyers seemed to have the edge." The drama reminds us of a statement coming from the noted criminal lawyer of Chicago, the late Clarence Darrow, who once said: "The courts are the cock pits in which lawyers fight it out."

Interesting was the scene in which several justices queried the attorneys for the university with regard to the equitableness of the treatment of Negroes in educational matters. For instance, Chief Justice Hughes asked:

> "How can you say that Negroes have equal educational opportunities, in Missouri, when they are compelled to leave their own state to find such equality of professional training in other states?"

When the reply was made that the Negroes who left the state had an advantage of about one hundred and fifty dollars a year over white students, Justice Hugo Black of Alabama asked:

> "Do you mean to suggest that a pecuniary payment would be adequate compensation for the loss of civil rights?"

This was followed by an inquiry from Justice Brandeis who asked if there was any specific statute forbidding Negroes to matriculate at Missouri University. Surely it must have been embarrassing to Attorneys Williams and Hogsett to be asked such questions as were put to them by Chief Justice Hughes and Justice Black, for to our minds, it seems that these attorneys were left without a leg upon which to stand. The questions were unanswerable, for they could not admit that sending Negro students to other states and paying their tuition, was a scheme to rob these colored students of their civil rights. And when Chief Justice Hughes inquired how they could harmonize their statement of equal professional training for white and colored students with the fact that Negroes had to go to other states, that was another "knock out" blow, because it showed what blind reasoning the lawyers for the university used in their defense.

Another interesting feature of the arguments of the attorneys for the university was the fact that they argued and pleaded for the right of Missouri to be, and remain a "backward state," in the class of such states as Alabama, Georgia, Louisiana, Texas, etc. It was brought out that all other races are admitted to the University of Missouri except the American Negro, be he a citizen of Missouri or not.

In his plea before the court, Attorney Williams argued for the right of the university to discriminate against the Negro, which is in direct violation of the Fourteenth Amendment of the United States Constitution.

Following the arguments by the attorneys, the United States Supreme Court, of course, took the matter under advisement. A decision is expected by the first of the year. According to comments heard from persons in a position to judge from the facts presented, there is little misgiving as to the final outcome of the case. In the meanwhile, Negroes not only in St. Louis, but in all sections of the country, should keep their swords and shields ready for fighting for the rights of the race to have a public education at the expense of the state, just as other races who enjoy such a privilege.

Supreme Court Ruling In Missouri Case

THE United States Supreme Court decision holding that the University of Missouri is legally bound to admit Lloyd L. Gaines, a colored applicant, to its law school, is of broad significance, and will have compelling weight in forthcoming adjustments in the educational systems of the Southern states.

The decision in this particular case need not affect, unfavorably, race relations in the South, as some newspaper commentators seem to think. The Gaines case, like others pending in several States, is far more important in its objective than the mere matter of establishing the right of one man, or others of his race, to enter the State University. The fundamental purpose of the action is to procure for Negroes of Missouri, and of 15 other States which maintain separate schools for the colored race, educational advantages comparable to those provided by the States in question for members of other races who are citizens of these States.

It is a matter of record open to everyone to see, that the States which maintain these dual educational systems grossly discriminate against the colored citizens. Not one of these States provide facilities for a colored person to pursue studies on the graduate level, even in liberal arts, to say nothing of such professional courses as law, medicine, dentistry and pharmacy.

Although it is a requirement of many of the States—and that is true in part in Virginia—that a high school principal shall hold a master of arts degree, and that instructors in State supported colleges must hold this degree, and in some cases the degree of doctor of philosophy, the States make no provisions for teachers to earn this degree within their own borders.

It is irony of the real sort, that qualified instructors in State supported Negro colleges and high schools in these 16 States maintaining separate school systems must go to the burdensome expense of attending Columbia, Cornell, Michigan, Ohio State and other such Northern universities, in order to earn the post graduate degrees required of them in order to hold their respective positions in the service of the State.

Within recent years graduate schools offering the master's degree have been established at Howard University, Washington; Atlanta University and Hampton Institute, private institutions, but none of these except Howard offer professional courses, nor courses leading to the degree of doctor of philosophy.

Virginia, like some of the other States, passed a law the purpose of which, ostensibly, was to provide financial asssistance to citizens of the State having to pursue post-graduate or professional courses outside of the State. As administered, the law does not enable anyone to study at Howard University, for instance, because the tuition at Howard is not higher than the tuition at the University of Virginia. If one wants to take advantage of the Virginia law one must attend a white institution like Columbia University, where the costs exceed those prevailing at Charlottesville. It is plain that the Virginia law is a characteristic gesture to evade bearing any cost of higher education for Negroes above the graduate level.

The Southern States—which are the States maintaining separate schools—have placed themselves in the inconsistent position which led up to the decision of the Supreme Court in the Missouri case, by obstinately refusing to provide anything like adequate, to say nothing of equal, educational facilities for Negro citizens. The Supreme Court decision will, undoubtedly, hasten adjustments which are long overdue.

DISCRIMINATION - 1938

College Heads Comment On Gaines Case Ruling

Journal and Guide

Heads of six famous colleges in four southern states and the District of Columbia, in special comments for the Journal and Guide on the Supreme Court's decision in the Gaines educational discrimination case, hailed it as a "just judgment of major significance," as the forerunner to similar victories directly affecting other states, as an act placing southern education "at the crossroads," as an indication of "a growing national consciousness of the greatest import," as an example of the "court's function to guarantee fundamental rights of all citizens," and as a "stimulating influence."

The texts of the college executives' comments follow:

DR. MORDECAI W. JOHNSON, president, Howard University, Washington, D. C.—"The decision is a just judgment of major significance to our people throughout the states of their majority residence. With unmistakable clarity it lays down the principle that it is the obligation of the state of Missouri to provide equal educational opportunity for its Negro citizens, within the borders of the state itself.

"The principle thus laid down is applicable as well to schools of law, medicine, dentistry, pharmacy, engineering, architecture, etc., in all the states now operating a separate system of schools for Negroes.

"For the sake of our people and for the sake of democracy I hope that the state of Missouri and all similarly situated states will meet this just and wise decision with sincerity and with adequately constructive effort."

DR. JOHN W. DAVIS, president, West Virginia State College, Institute, W. Va.—"The momentous decision focuses attention anew upon the unfairness on the part of sixteen states in not providing professional and graduate training for Negroes and will lead to legal proceedings and hard-fought victories in other states.

"It is a jolt to state-supported educational jim-crowism, but not yet the end of it. Many facts remain on our agenda of educational equality and opportunity."

DR. F. D. PATTERSON, president, Tuskegee Institute, Tuskegee, Ala.—"The decision is indicative of a growing national consciousness of the greatest import in establishing the obligation of states to provide within the state adequate facilities for the education of its Negro citizens."

DR. ARTHUR HOWE, president, Hampton Institute, Hampton, Va.—"The Gaines case decision by the Supreme Court is in keeping with the court's function to guarantee fundamental rights of all citizens under our Constitution. I believe officials and representative leaders of both races, working together in each state, will work out a just fulfillment."

DR. F. D. BLUFORD, president, North Carolina A. and T. College, Greensboro, N. C.—"The recent Supreme Court decision in the Missouri case will, in my opinion, have a stimulating influence upon graduate and professional training for Negroes in the South. Many people in the South, especially in North Carolina, feel that the highest educational advantages should be provided for the Negro."

DR. JOHN M. GANDY, president, Virginia State College, Petersburg—"The ruling of the Supreme Court in the Gaines' case seems to imply that each state is legally obligated to provide substantially equal educational advantages for all its citizens. Here in Virginia, the State College for Negroes has recently begun to offer courses beyond the bachelor's degree, leading to the master's.

"If it is legally permissible, adequate provision might be made through a cooperative scheme whereby several states would combine in the construction and maintenance of a unit professional school.

"The whole course of education in the South as a result of this decision is now at the crossroads, and the turn it will take depends upon the intelligent and careful planning on the part of both races, which is necessary to stear clear of tragedy."

MISSOURI

ANOTHER MILESTONE

The epochal decision of the United States Supreme Court in the University of Missouri-Lloyd Gaines case is another milestone in the long struggle to make Southern States live up to their "equal but separate" laws regarding colored Americans.

It proves again that the discriminatory practices against which we rightfully complain can be successfully attacked if our case is well prepared and vigorously and persistently prosecuted.

Courier

The victory in the University of Maryland Negro exclusion case was a signboard indicating the best method of attack.

12-24-38

The mere threat of similar action in Kentucky and Virginia caused the hasty enaction of laws granting out-of-State scholarships to Negro graduate professional students.

There is a small legal loophole in the Supreme Court's decision in the University of Missouri-Gaines case, but we are pretty certain that delays obtained by legal hair-splitting will only briefly postpone the attainment of complete educational opportunities in that State and all other States following is jim-crow policy.

It is now established beyond doubt that tax-supported educational systems cannot get around doing their duty by pleading paucity of Negro students, by advancing the argument of the exorbitant expense of identical bi-racial systems, nor by inviting Negro applicants to go outside the South for advanced courses.

This decision definitely puts the Southern States "on the spot." The vast robbery of Negro youth through discriminatory schooling nears its end.

They are caught in the mesh of their own laws which, designed to conform with the provisions of the Federal Constitution and so avoid the charge of treasonable disobedience, have been the chief organs of jim-crowism in execution.

It will be interesting to see what the next step of the South will be to meet this formidable threat to these "sacred institutions" which have enabled it to perpetuate its system of Negro exploitation seventy-three years after Appomattox.

It has bitterly fought every effort of Negroes and their friends to make it live up to the Constitution it swore to support but has honored in the breach.

It has lost its fight to restrict Negroes to the ghetto; lost the fight to completely disfranchise the Negro, and now it is losing its fight to keep the Negro ignorant and without adequately trained leaders.

We should be proud of the fact that these victories, these milestones on the patah of our progress, have been attained largely through the efforts of an organization led and supported by colored people. It is as true today as ever, that he who would be free must himself strike the first blow.

M. U. Grad Lauds Gaines Decision

Plain Dealer
12-23-38

NEW YORK—At least one graduate of the University of Missouri is happy over the Supreme Court decision ordering the state university to open its doors to Negro citizens for professional training.

The graduate is George Hamilton Combs, Jr., white liberal lawyer and a news commentator who broadcasts every morning over radio station WHN here.

In his broadcast, December 12, Combs termed the decision one of the "milestones witnessing the progress of the Negro race."

"Your reporter," he added, "has only this to say—that as an alumnus of the University of Missouri and of hat law school, this is one decision of the Supreme Court which he heartily applauds—it is democracy at work!"

Atlanta, Ga. Constitution
December 14, 1938

HIGH COURT RULING STUDIED IN SOUTH

Negro Educator Suggests State Scholarships To Meet Situation.

By The Associated Press.

A suggestion that states provide scholarships for negro students was offered yesterday by a negro educator as one solution of the problem raised in the south by the supreme court ruling equality of educational privileges must be accorded white and negro students.

The supreme court itself disregarded a scholarship plan for outside instruction for negroes provided by Missouri in passing on a case from that state in which a negro sought to gain entrance into the University of Missouri Law school.

Varying views were expressed today by southern educators regarding the best method of meeting the situation.

The negro educator, J. B. Watson, president of Arkansas Agricultural, Mechanical and Norma College for Negroes at Pine Bluff said he believed the problem could best be solved by state scholarships in institutions that admit negroes to membership.

Among those questioned, only John Hugh Reynolds, president of Hendrix College, Conway, Ark., suggested negroes be admitted to white colleges.

T. H. Harris, Louisiana state superintendent of education, said public sentiment in the south "is decidedly against negro and white students attending school together. . . . It would be unpleasant for both. It is not sensible."

A Virginia state official, who declined to permit use of his name, said the supreme court decision might make mandatory widespread revisions in Virginia's segregated schooling. A department head suggested as a partial solution that a separate medical school for negroes be established as a unit of the Medical College of Virginia and that the present State College for Negroes at Petersburg be enlarged to include most postgraduate work. Governor James H. Price said he was studying the situation resulting from the supreme court decision.

Halbert Harvill, Tennessee commissioner of education, said creation of an entirely separate school system was not advisable "under the present limited demands for such instruction."

Professor Paul Ramsey, a Yale divinity student and instructor in sociology at Millsaps (Methodist) College, Jackson, Miss., said the court's decision "throws the problem right back on the south."

Dr. Rufus E. Clement, president of Atlanta University for Negroes, expressed gratification at the supreme court ruling and asserted "all fair-minded people will agree that the state should not discriminate against any citizen in the matter of extent or type of education offered him at public expense."

High Point, N. C. Enterprise
December 13, 1938

RACE DISCRIMINATION CASE IMPORTANT

THE overruling of the Missouri Supreme court by the Supreme Court of the United States in the case where a Negro sought admission to the Missouri University's law school will bring sixteen States face to face with a new problem. North Carolina has succeeded in evading the issue for years, despite sporadic efforts to bring it up. The Supreme court has held that denial of law school rights to a Missouri colored man was a violation of his federal constitutional rights.

The principle applies in North Carolina; it applies in every one of the sixteen States which close the doors of their professional college against Negroes. We assume that the judgment of the court does not impair the State's police rights of segregation. If that assumption is correct, the possible solution of the problem lies in creation of professional schools in the existing Negro colleges.

Shelby, N. C. Star
December 15, 1938

THE MISSOURI DECISION

It is possible that the doors of the institutions of higher learning in many of the states of the south may have to be opened to negro students under the recent decision of the United States suprmee court which, in effect, ordered the state of Missouri to admit a negro law student.

Invoking the "equality" clause a negro attorney rtpresenting the Association for the advancement of Colored People, which carried the issue to the highest court, won his case.

That decision is pregnent with trouble for the south. For in the south white students will not attend the same universities and colleges in which colored students are enrolled. The dissenting opinion in the case, presented by Mr. Justice McReynolds, who is from Tennessee, declared that the decision in effect would "damnify both races."

Mr. Justice McReynolds is from the south. He understands the problems of the south not the least of which is the race question. The decision, prepared by Chief Justice Hughes, will not work in the south and for that reason alone it will cause great and serious difficulty. It presents a conflict of law and principle. The principles of the south, among the leading negroes as well as whites, is directly opposed to the intermingling of the races in educational institutions particularly.

It is conceivable under the decision that the systems of the white institutions of higher learning, may be altered backward rather than to allow negroes to enter white schools. Certainly that is to be preferred. It is possible that such systems, to avoid the terms of the decision, may be lowered to the educational standards of the negro educational systems in the southern states, thus depriving white people with no gain to negroes in order to come within the definition of equality. Likewise it is possible that the standards of the negro educational systems in the south may be elevated to that of white people, in order to meet the decision.

But it is a practical certainty that the south now nor in the future will admit whites and negroes into the same schools regardless of the herculean efforts of the Association for the Advancement of Colored People.

Greenville, S. C. Piedmont
December 14, 1938

A New Day

Racial segregation laws and practices in the South stand less secure today than in many years, a fact for which the federal government largely is responsible.

The other day negroes voted along with whites in the crop acreage control referenda, an election more important than most of the regular elections held from time to time, and there was no hullabaloo about it.

And now the Supreme Court of the United States has ruled that states must open the doors of their educational institutions to negroes or provide for them separate institutions with equal scholastic standing and facilities.

On the whole, racial harmony has prevailed for many years in the South and good citizens of both races will desire earnestly that it continue so. Abrupt breaking down of segregation practices hardly would be conducive to that end.

Richmond, Va. News Leader
December 17, 1938

THE SUPREME COURT ON MONDAY, in a 6 to 2 decision, with Justices MCREYNOLDS and BUTLER dissenting, ruled that equal facilities for higher education within the States must be allowed Negroes. The case on which the ruling was made was that of LLOYD GAINES, St. Louis Negro, who was rejected for admission to the Law School of the University of Missouri in 1935. Although he was offered means by the State to attend a law school in some adjacent area where separation of races is not observed, GAINES took his case to the State courts, and appealed to the highest Federal tribunal from the adverse decision of the Missouri Supreme Court. The judgment of the United States Supreme Court, written by Chief Justice HUGHES, is that under the Fourteenth Amendment any citizen of a State is entitled to an education equivalent to the best offered by the State to any other of its citizens. This "equal protection" was not afforded, the Supreme Court said, by the offer of the State to pay tuition in an adjacent State.

DISCRIMINATION - 1938

SUPREME COURT'S DECISION SPURS EDUCATION DRIVE

Sweeping Decision In University of Missouri Case To Be Used In Campaign for "Equal" School Accommodations Throughout South.

NEW YORK, Dec. 22—The sweeping opinion of the United States supreme court issued December 12 ordering the State of Missouri to provide Negro students with the same facilities for studying law as are provided for white students will be the entering wedge in a campaign to improve the education of Negroes in the South all down the line to the smallest rural school, it was announced here last week by officials of the N.A.A.C.P.

The University of Missouri case, where Lloyd L. Gaines, a colored colege graduate, sought to enter the University of Missouri law school, was the eleventh victory of the N.A.A.C.P. and its lawyers in the highest court of the land. The lawyers in the Missouri case were Charles H. Houston, special counsel of the Association, and Sidney R. Redmond of St. Louis, Mo., [illegible] of the St. Louis branch.

NOT ENOUGH TO PAY TUITION IN OTHER STATES

The high court decision declared that laws passed by several States recently providing for the payment of tuition of Negro students in northern and western states were not satisfactory and did not in effect provide equality.

"By the operation of the laws of Missouri, a privilege has been created for white law students which is denied to Negroes by the reason of their race. The white resident is afforded legal education within the State; the Negro resident having the same qualifications is refused it there and must go outside the State to obtain it. That is a denial of the equality of legal right to the enjoyment of the privilege which the State has set up, and the provision for the payment of tuition fees in another State does not remove the discrimination."

PROVISIONS MUST BE EQUAL IF SEPARATE

N.A.A.C.P. officials point to another sentence in the broad opinion of the supreme court as one of the most significant in the whole opinion and one upon which a further campaign for equality of elementary and secondary education will be based. It is:

"The admissibility of laws separating the races in the enjoyment of privileges afforded by the State rests wholly upon the equality of the privileges which the laws give to the separated groups within the State."

This sentence is regarded as reenforcing and expanding the past opinions of the supreme court on "separate but equal" provisions for the races.

On the basis of this pronouncement and others which have been made from time to time, but which have been ignored by many States, the N.A.A.C.P. proposes to redouble its efforts to improve education for Negroes in the rural and city elementary schools in the South; in the high schools; in bus transportation for Negro rural pupils; and in the allocation and administration of the millions of dollars of federal funds given to the States each year for educational purposes.

Even white southerners now admit freely that 'separate but equal' schools do not exist anywhere in the South except in one or two local instances.

FEDERAL FUNDS FOR EDUCATION UNEQUAL

As for the administration of federal funds received by the State, a fair example is to be found in Missouri. In his brief before the supreme court, Mr. Houston pointed out that out o $408,000 received by Missouri in 1934 from various federal funds for education, about $3,000 went to the State Negro schol and $405,000 went to the University of Missouri. Mr. Houston showed that although Negroes form 6.2 per cent of the population of Missouri they receive only .8 of one per cent of the money allotted to the State from federal funds.

MARYLAND CASE WON; 'TESTS' ELSEWHERE

The opening gun in the drive had been fired by Thurgood Marshall, Baltimore attorney, in a suit against the University of Maryland to compel the admission of Donald [illegible] Murray, a colored college graduate, to the law school of the university.

Mr. Marshall won his case in the lower court in Baltimore, but the university appealed to the Maryland Court of Appeals. There Mr. Marshall won again and the university admitted Murray to the law classes. He was graduated and given his diploma last June.

Mr. Houston then began action in Tennessee and Missouri, winning a smashing victory in the Missouri case in the highest court, after having lost (as was expected) in the lower court in Missouri and in the Missouri supreme court.

The very first attempt of the N.A.A.C.P. in cases of this nature occurred in 1933 when William H. Hastie (now U. S. judge in the Virgin Islands) appeared for the Association in North Carolina seeking to have the courts there open up the University of North Carolina law school to Thomas Hocutt. Hocutt was disqualified because his scholastic record was not deemed good enough for entrance to the law school.

Chattanooga, Tenn., Daily Times
December 13, 1938

RULING RAISES NEW PROBLEMS FOR THE SOUTH

'Equality' of Education Case Casts Doubt on Legality of Tennessee Plan

By the Associated Press.

A ruling by the United States supreme court yesterday that "equality" of educational privileges must be accorded white and Negro students brought to the fore an interracial problem which southern states have tried to solve in various ways.

In its only formal decision of the day, the high court ruled that the University of Missouri should admit Lloyd Gaines, a Negro, to its school of law. Charles Houston, counsel for Gaines, said the decision "affects the entire scope of graduate professional training" for Negroes in sixteen southern states which do not now provide such training within their borders.

Outside Instruction Disregarded

In reversing lower courts which had upheld the University of Missouri's right to bar a Negro from its law school, the decision disregarded that state's scholarship plan for outside instruction for Negroes and cast doubt on the legality of similar steps taken by other states.

The issue has been raised only occasionally in the south because many states have educational institutions exclusively for Negroes. Financial aid for outside study has been provided in some instances.

Besides Missouri, such arrangements have been made in Maryland, Tennessee, Oklahoma, Virginia, West Virginia and Kentucky.

An annual appropriation of $2,500 for Negroes to obtain professional training outside Tennessee was authorized after a Nashville Negro sought to gain admission to the University of Tennessee's school of pharmacy. Three Negroes now are being assisted.

The 1936 Virginia general assembly also made an appropriation to care for extra costs incurred by Negroes who had to seek post-graduate instruction outside the state.

Dabney Sees New Problem

However, Virginius Dabney, editor of the Richmond Times-Dispatch and an authority on interracial matters, said yesterday the supreme court ruling would make it necessary for Virginia either to develop professional and post-graduate courses at the State College for Negroes in Petersburg at considerable cost, or admit Negroes to white state schools.

Dabney said he believed the latter course would injure racial relations.

R. B. Eleazer, of Atlanta, educational director of the commission on interracial co-operation, said "the case is significant in that it dramatizes the neglect of a great many of our states to make any provisions for the graduate education of our Negroes."

"The laws of every southern state specifically provide that the educational facilities for Negroes—while separate—shall be equal," Eleazer said. "These facilities, at the graduate level, have not only not been equal; they have been nonexistent.

"I don't express an opinion on how this should be done, but there are two methods of approach. The first is through scholarships, which the court has apparently said are not adequate and the other is through separate institutions."

A legislative commission studying Negro education in North Carolina recommended recently that the general assembly appropriate $15,000 to $18,000 annually, to be distributed to Negroes desiring to do graduate work out of the state.

Application of a Negro for admittance to the University of South Carolina's law school awaits action by a special committee to which it was referred by the board of trustees.

Atlanta (Ga.) Constitution
December 13, 1938

HIGH COURT GIVES NLRB NEW SETBACK

Also Rules Missouri Law School Must Admit Negro as Student.

By The Associated Press.

In its session yesterday, the supreme court:

Gave the National Labor Board its second setback in as many weeks.

Ruled that the University of Missouri law school should admit as a student Lloyd L. Gaines, a negro.

Refused a petition for a writ of habeas corpus for Tom Mooney.

Agreed to review a decision denying I. W. Lane, Oklahoma negro, a $10,000 judgment against election officials he accused of denying him the right to vote.

In the NLRB case, the court thwarted an effort of the board to reinstate 145 seamen who were discharged after two ships had been seized in sit-down strikes.

Without explaining its action, the court refused a board request that it review a decision of the fifth federal circuit court, which set aside a board order requiring reinstatement of the men.

Evidence of Mutiny.

The circuit court decided that the seizing of the ships by sit-down strikers was "at least prima facie evidence that the crews were guilty of mutiny."

In its only formal decision today, the high court ruled that the university should admit Gaines, but at Lansing, Mich., where he is employed on a WPA-sponsored survey. Gaines declined to say

whether he would enter the school.

Chief Justice Hughes wrote the majority opinion. Justices McReynolds and Butler dissented.

Missouri provides separate schools for negroes and in addition it provides payment of tuition at schools in adjacent states for negroes who wish to study subjects not provided at the negro institutions.

'Bound to Furnish.'

Brushing aside, as beside the point, Missouri's scholarship arrangement, the chief justice said the state "was bound to furnish him (Gaines) within its borders facilities for legal education substantially equal to those which the state there afforded for persons of the white race, whether or not negroes sought the same opportunity."

Noting Missouri's view that its best interests demanded separation of whites and negroes, McReynolds dissented:

"Under the opinion just announced, I presume she may abandon her law school and thereby disadvantage her white citizens without improving petitioner's opportunities for legal instruction: or she may break down the settled practice concerning separate schools, and thereby, as indicated by experience, damnify both races."

LEGALITY OF AID PROVISIONS IN DOUBT

By THE ASSOCIATED PRESS.

The supreme court's ruling tha "equality" of educational privileges must be accorded white and negro students brought to the for a problem which southern state have tried to solve in various ways

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Virginius Dabney, editor of the Richmond Times-Dispatch, said the ruling would make it necessary for Virginia either to develop professional and post-graduate courses at the State College for Negroes, in Petersburg at considerable cost, or admit negroes to white state schools.

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A legislative commission studying negro education in North Carolina recommended recently that the general assembly appropriate $15,000 to $18,000 annually, to be distributed to negroes desiring to do graduate work out of the state.

Greenville, S. C. News
December 14, 1938

THINKS NEGROES MIGHT ATTEND CERTAIN SCHOOLS

Scholarships For Professional Students Believed Solution

AFTER COURT RULING

ATLANTA, Dec. 13.—(AP)—A suggestion that states provide scholarships for negro students was offered today by a negro educator as one solution of the problem raised in the South by the Supreme court ruling equality of educational privileges must be accorded white and negro students.

The Supreme court itself disregarded a scholarship plan for outside instruction for negroes provided by Missouri in passing on a case from that state in which a negro sought to gain entrance into the University of Missouri law school.

Varying views were expressed today by southern educators regarding the best method of meeting the situation.

The negro educator, J. B. Watson, president of Arkansas Agricultural Mechanical and Normal college for negroes at Pine Bluff said he believed the problem could best be solved by state scholarships in institutions that admit negroes to membership.

Among those questioned, only John Hugh Reynolds, president of Hendrix college, Conway, Ark., suggested negroes be admitted to white colleges.

"There probably would be trouble at first—some hot-headed southern boy might bash a negro's nose—but in a year or two we would get used to it," Reynolds said.

Columbia, S. C. State
December 14, 1938

THE NEGROES WIN THEIR CASE.

Last spring or summer a Negro made formal application for admission as a student to the University of South Carolina's school of law. Now that Negro has what is apparently an unequivocal decision of the Supreme Court of the United States to support his application. The highest court says he must be admitted, or afforded equal facilities in a state Negro institution for the study of law. The case decided by the Supreme Court was not brought by the South Carolina Negro. It went up from Missouri, but the fundamental facts are almost identical. The main difference is that the state of Missouri was offering to a Negro applicant for admission to its university's school of law, money which he might use to pay expenses in some law school outside of Missouri. The court decided this device is not allowable.

"The basic consideration," said Chief Justice Hughes in the opinion concurred in by Mr. Justice Black (of Alabama, and once a member of the K. K. K.) and all other members of the court except Mr. Justice McReynolds and Mr. Justice Butler, "is not as to what sort of opportunities other states provide, or whether they are as good as those in Missouri, but as to what opportunities Missouri itself furnishes to white students and denies to Negroes solely upon the ground of color. The admissibility of laws separating the races in the enjoyment of privileges afforded by the state rests wholly upon the equality of the privileges which the laws give to the separated groups within the state."

This seems to mean separation of the races is admissible, but only if the educational facilities offered to one race are equalled by those offered to the other race.

"The question here," continued the Chief Justice, "is not of a duty of the state to supply legal training, or of the quality of the training which it does supply, but of its duty when it supplies such training to furnish it to the residents of the state upon the basis of an equality of right. By the operation of the laws of Missouri a privilege has been created for white law students which is denied to Negroes by reason of their race, the white resident is afforded legal education within the state; the Negro resident having the same qualifications is refused it there and must go outside the state to obtain it. That is a denial of the equality of legal right to the enjoyment of the privilege which the state has set up, and the provision for the payment of tuition fees in another state does not remove the discrimination.....Nor can we regard the fact that there is but a limited demand in Missouri for the legal education of Negroes as excusing the discrimination in favor of the whites...."

What can South Carolina do about this? The simplest solution, for a time, might be to establish a school of law at the State College for Negroes in Orangeburg. Later the problems of educating Negroes in medicine, in pharmacy and in certain other professions and occupations might arise, to be dealt with as they arise. That is one possible plan of action.

Another is to admit Negroes to the institutions now exclusively for white students; but South Carolina will not do that willingly unless and until public opinion changes radically.

A third plan is to abolish those courses in state schools which now are available to white but not to Negro students, thus achieving equality of opportunity by leveling white privileges downward.

A fourth plan is to deny the application of the Negro for admission to the University, then do nothing more unless forced to do something more. This plan might result in court action to require compliance with the Missouri decision; or it might result in withdrawal of WPA, PWA and like federal grants to the University and to other institutions, if any, which continue to offer special privileges to white students, while denying them to Negroes. Ultimate effects of a policy of ignoring the decision can only be guessed at.

In all of this The State is merely presenting a problem, and discussing it, without any present intention of urging dogmatic proposals for its solution. The issue, which has slept since Reconstruction days, is now awake again, and the United States of America, outside those states in the South, probably will not allow it to be re-anesthetized.

Incidentally, The State does not see how the Supreme Court could have decided the Missouri case except as it was decided.

FOOTNOTES ON HEADLINERS

AT LOWELL HOUSE: A birthday party was held last week by undergraduates of Lowell House, one of the sub-colleges into which Harvard was divided by its last president, **Abbott Lawrence Lowell.** The party was in honor of Dr. Lowell, now president emeritus, and under a huge portrait of himself the ex-"prexy" carved an eighty-two-candle cake, one segment of which he handed to his successor, James Bryant Conant. One hundred and fifty students were there to applaud the gesture. The only discordant note was the off-the-program distribution of cards reading 'Sacco and Vanzetti might have lived to be 82." They recalled Dr. Lowell's service on a special commission which, after reviewing the cause célèbre, maintained that the two men had had a fair trial before they were convicted of murder.

Ever indifferent to public attention—in all his twenty-three years as university president he never gave a press interview—Dr. Lowell has lived a quiet life since he retired in 1932 from his office in the Harvard Yard. In 1936 he published a biography of his astronomer brother, the late Percival Lowell, the famed observer of Mars whose name is perpetuated in the Lowell Observatory in Arizona.

EQUAL RIGHTS: In the Deep South and the Border States Negroes generally have found it hard to obtain higher education within their own States. Missouri has gone part way by providing a special Negro university—Lincoln, at Jefferson City. Lincoln has no law school, and that lack lay behind a decision last week of the Supreme Court of the United States.

Lloyd L. Gaines, Lincoln A. B., applied for admission to the University of Missouri Law School. He was refused on the grounds that it was contrary to the "Constitution, laws and public policy" of the State for a Negro to be admitted to the university. He took the issue to court.

Last week the 26-year-old Negro, now a WPA worker on a project for the Michigan Civil Service Department, won his case. By a six-to-two decision the court held that if a State provided legal training for its residents, it must be upon the "basis of an equality of right." Missouri, by barring Gaines from an institution open to whites, had denied to Negroes such equality. The National Association for the Advancement of Colored People, which has been campaigning for equal educational facilities, supported the Gaines case at an estimated cost of about $3,000. The university was said to have spent from $20,000 to $25,000.

(Education of Negroes Tested: p. 10)

Emotional Reactions In Gaines Case

WE have read many extraordinary comments upon the Supreme Court's decision in the Lloyd Gaines-Missouri case. In view of the fact that in its ultimate impact upon the laws and customs of the South this decision will not be unlike those outlawing the Grandfather Clause in the election laws, and the decree making residential segregation by ordinance unlawful, neither of which has made any revolutionary changes, some of the emotional reactions on the part of Southerners of mature scholarship and conservative minds have been a little surprising. For example, this expression by the Richmond News-Leader:

"The Thirteenth and Fourteenth Amendments, written in passion, have set forth many ideals that could not be realized because they ran afoul of deeply engrafted custom. Human nature can be changed, but only by natural, voluntary adjustment. Let it not be said again, to paraphrase JEREMIAH, that the children's teeth in this day and age are set on edge by the sour grapes eaten by their grandfathers."

The Thirteenth Amendment abolished slavery. It reads: "Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction. Section 2. Congress shall have power to enforce this article by appropriate legislation."

The Fourteenth Amendment, Section 1, says: "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

It would seem that 73 years after the adoption of the Thirteenth Amendment, and 70 years after the adoption of the Fourteenth Amendment, "engrafted custom" would have fully and confidently yielded to the wisdom of their ideals. We grant, however, the freedom of conscience which entitles one to hold on, conscientiously, to customs and traditions and we also grant that freedom of speech which entitles one to express the opinion that devotion to certain customs and traditions may not easily be abandoned, and may be cherished above the law of the land.

Missouri U. Student Paper Invites Gaines To 'Come On'

Editorial Calls On White Students to "Pioneer Nation Out of Last Frontier of Racial Prejudice and Superstition."

12-31-39

COLUMBIA, Mo., Dec. 29—(ANP)—Expressing doubt that the State could establish a Negro university as complete as that for whites, and saying that here is a chance for white students to "pioneer the nation out of the last frontier of racial prejudice and superstition," the Missouri Student, the University of Missouri student newspaper, last week invited Lloyd Gaines to take his law course there in accordance with the recent Supreme Court decision.

The editorial, after stating that the question would have to be faced sooner or later, declared:

"Of immediate importance to students is the possibility of Gaines occupying a seat in a Missouri university classroom. The law students were convinced Monday that Gaines would be 'treated like a dog'—if he entered. Outspoken students said they would not sit by a Negro in class. Stronger voices announced they would leave school if Gaines were admitted. The logic of the latter statement is ridiculous. Where would they go? The Supreme Court decision holds for the nation consequently, all southern schools will be forced to allow whites and Negroes to study in the same institution.

"In the trigger discussion, one caught the scent of Nazi anti-semitism, saw a race magnified in its role of an underdog. Lincoln university for Negroes. The ghetto for the Jew. For, wherein is there a basic difference?

"The South has come to reconcile the Yankee; the war that tore them apart gave the Negro equality. The question was settled 75 years ago; the consequences have been long in arriving. While the sting is sharp, it will wear off. The supreme court decision was inevitable. The university knew when it went beyond the state's borders to uphold its tradition of racial segregation in education, that it had a slim 50 to 1 chance of winning. And now we have the decision.

"We who are students will have no say as to what will be done about the Negro attending school, but it is we who will go to school with him. Few will have the money to come, and those who do will come for advanced education, and for the most part, will be a superior Negro.

"Our actions in accepting him will define our status as Americans. Our pilgram, continental, Gettysburg tradition is freedom and racial equality for all. It is our cue to pioneer the nation out of this last frontier of racial prejudice and superstition."

DISCRIMINATION - 1938

Tuskegee President Praises Decision In Gaines Case

Many Others Write Notes Of Congratulations

NEW YORK, (SNS)—The recent U. S. supreme court decision which opened the doors of the University of Missouri law school to Negro students, was hailed as the result of an "excellent piece of work" on the part of officials of the National Association for the Advancement of Colored People, by Dr. F. D. Patterson, president of Tuskegee Institute.

Dr. Patterson made the statement in a letter to Walter White. He praised the work of the executive secretary of the Association during this period as representing a highpoint "which, I am sure, will establish your tenure with the NAACP as one of the most signal in its history."

Others who voiced their admiration of the Association's education fight culminating in the supreme court decision included:

Dr. Modecai Johnson, president of Howard university; Mrs. Lillie Jackson, president of the Baltimore, Md. NAACP branch; Mrs. Georgine Morris, treasurer of the Des Moine, Iowa branch; Morris Ernest, of the American Civil Liberties Union; C. A. Hansberry, of the Chicago NAACP; R. B. Eleazer, educational director of the Atlanta, Georgia Commission on Interracial Cooperation; Mr. and Mrs. Clarence Mitchell, St. Paul, Minn. (Mrs. Mitchell is the former Juanita E. Jackson, NAACP Youth director); Mrs. Gertrude Stone, Washington, D. C.; and Miss Oncida Cockrell, supreme basileus of the Phi Delta Kappa sorority.

UNI. OF MISSOURI ORDERED TO ADMIT COLORED STUDENTS

WASHINGTON, D. C., Dec. 12—The Supreme Court in a 6 to 2 decision today ruled that the University of Missouri must admit L. L. Gaines of St. Louis to its law school.

The court reversed a Missouri supreme court decision rejecting Gaines' suit for a mandamus writ compelling Missouri authorities to admit him to the law school.

The State contended that it furnished the equal protection demanded by the constitution by offering to establish a law school at Lincoln and to pay Gaines' expenses at an out of state law school until the Lincoln Law School could be established.

Gaines refused the offer on the ground that since he wished to practice law in Missouri, he wanted to study within the state.

Chief Justice Hughes read the decision.

"We must conclude," Hughes said "that in so doing the court denied the federal right which petitioner set up and the question as to the correctness of that decision is before us.

"We are of the opinion that the ruling was error, and that petitioner was entitled to be admitted to the law school of the state university in the absence of other and proper provision for his legal training within the state."

Justice McReynolds and Butler dissented from the opinion.

The decision is regarded here by competent lawyers as a death blow to Jim Crowism in many s[illegible] universities.

Tampa, Fla. Tribune
December 14, 1938

Scholarships For Negroes Urged After Court Ruling

ATLANTA, Dec. 13.—(Associated Press.)—A suggestion that states provide scholarships for negro students was offered today by a negro educator as one solution of the problem raised in the south by the supreme court ruling equality of educational privileges must be accorded white and negro students.

The supreme court itself disregarded a scholarship plan for outside instruction for negroes provided by Missouri in passing on a case from that state in which a negro sought to gain entrance into the University of Missouri law school.

Varying views were expressed today by southern educators regarding the best method of meeting the situation.

The negro educator, J. B. Watson, president of the Arkansas Agricultural and Normal College for Negroes said he believed the problem could best be solved by state scholarships in institutions that admit negroes to membership.

T. H. Harris, Louisiana state superintendent of education, said: "Public sentiment in the south is decidedly against negro and white students attending school together. It would be unpleasant for both. It is not sensible."

A Virginia state official, who declined to permit use of his name, said the supreme court decision might make mandatory widespread revisions in Virginia's segregated schooling. A department head suggested as a partial solution that a separate medical school for negroes be established as a unit of the medical college of Virginia and that the present state college for negroes at Petersburg be enlarged to include most postgraduate work. Governor Price said he was studying the situation resulting from the supreme court decision.

President Whittaker of the South Carolina A. and M. College for Negroes said he did not consider the cost of separate schools for whites and negroes prohibitive in states like South Carolina where the negro population is large.

Both Tennessee and Virginia have set up appropriations for assisting negro students to obtain professional training outside those states.

Patterson Praises U. S. Court Decision

NEW YORK—The recent U. S. Supreme Court decision which opened the doors of the University of Missouri law school to Negro students, was hailed as the result of an "excellent piece of [illegible] advancement of Colored People, by Dr. F. D Patterson, president of Tuskegee Institute.

Dr. Patterson made the statement in a letter to Walter White. He praised the work of the executive secretary of the association, during this period as representing a high point "which, I am sure, will establish your tenure with the NAACP as one of the most signal in its history."

Others who voiced their admiration of the association's education fight culminating in the supreme court decision included Dr. Mordecai Johnson, president of Howard University.

Richmond, Va., Times-Dispatch
December 11, 1938

High Court Gives South Hard Puzzle In Education

Ruling Requires Nonexistent Graduate Schools

Southern educators, Negro and white alike, stunned by the decision of the United States Supreme Court that a Negro should be admitted to the University of Missouri law school, speculated variously yesterday on the effect the decision might have on public educational systems in Dixie.

In Virginia, as elsewhere in the South, educational facilities for Negroes and whites are segregated. In nearly all of these States facilities are provided for elementary and undergraduate education, but graduate and professional schools for Negroes are virtually nonexistent in them.

This whole picture may be changed, it was indicated by educators yesterday, unless some satisfactory adjustments can be made to meet the implications of the Supreme Court's ruling in the Missouri law school case.

Dr. Gandy Has Suggestion

Dr. John M. Gandy, president of the Virginia State Teachers' College for Negroes at Petersburg and himself a Negro, suggested as one solution of the problem that several Southern States might join in the construction and maintenance of a Negro professional school.

Varying suggestions were made by others, but only one—John Hugh Reynolds, president of Hendrix College, Conway, Ark.—proposed that Negroes be admitted to white Southern universities.

"Separate schools are now maintained in Arkansas for courses in which Negroes are largely interested," he said. "If any Negroes wished to study law

or medicine or such—and there would be few desiring this—they should be admitted to the regular classes at the university. There probably would be trouble at first—some hotheaded Southern boy might bash a Negro's nose—but in a year or two we would get used to it."

On the other hand, T. H. Harris, Louisiana State superintendent of education, said "public sentiment in the South is decidedly against Negro and white students attending school together . . . It would be unpleasant for both. It is not sensible."

Scholarship Idea Vetoed

A member of the Virginia State Board of Education said the court decision could well be applied "right down the line" through secondary and elementary education, involving salaries of Negro teachers and physical equipment of schools.

Some Southern educators suggested that Southern States might meet the situation by providing scholarships in Northern and Western institutions for those wishing to pursue graduate or professional studies, but the Supreme Court itself disregarded this plan in the Missouri case.

Virginia provides financial aid for Negroes who wish to do graduate work, by allowing the difference between the cost of attending an out-of-State university and the cost of attending a university in Virginia. But the court held that this did not comply with the "equal facilities" provision for education.

Governor Price, who withheld comment yesterday, said he would study the case with his department heads. Attorney-General A. P. Staples said he would have no comment until he had had an opportunity to read the decision.

But another Virginia department head made two suggestions:

A separate medical school for Negroes as a unit of the Medical college of Virginia, which now has a Negro hospital and operates a training school for Negro nurses.

Enlargement of the present facilities at the Petersburg college for Negroes to include most graduate work and courses in law and engineering.

The Petersburg institution now offers some graduate work, but has no law or engineering or medical school. The graduate work there is being enlarged by the State Department of Education.

"Crossroads" Reached

Dr. Gandy, who heads the school, said "if it is legally permissible, adequate provision might be made through a co-operative scheme whereby several States would combine in the construction and maintenance of a unit professional school.

"The whole course of education in the South as a result of this decision is now at the crossroads, and the turn it will take depends upon the intelligent and careful planning on the part of both races, which is necessary to steer clear of tragedy."

Diversified views were expressed by other Southern educators.

President M. F. Whittaker of the South Carolina A. and M. College for Negroes said he did not consider the cost of separate schools for whites and Negroes prohibitive in States like South Carolina where the Negro population is large.

"Consistent" With Ideals

The high court decision was hailed as "in the interest of justice and the only one which could be called consistent with our Democratic ideals" by Dr. William Stuart Nelson, president of Dillard University, New Orleans (Negro college).

Halbert Harvill, Tennessee commissioner of education, said creation of an entirely separate school system was not advisable "under the present limited demands for such instruction."

Both Tennessee and Virginia have set up appropriations for assisting Negro students to obtain professional training outside those States.

Professor Paul Ramsey, a Yale divinity student and instructor in sociology at Millsaps (Methodist) College, Jackson, Miss., said the court's decision "throws the problem right back on the South."

Dr. Clement Pleased

Dr. Rufus E. Clement, president of Atlanta University for Negroes expressed gratification at the Supreme Court ruling and asserted "all fair-minded people will agree that the State should not discriminate against any citizen in the matter of extent or type of education offered him at public expense. . . . To neglect any group in the population only paves the way for the eventual establishment of a government which will be distinctly un-American."

State-provided scholarships or establishment of separate institutions were suggested by R. B. Eleazer of Atlanta, educational director of the Commission on Interracial Co-operation. He said laws in all Southern States provided for equal, though separate educational facilities for Negroes but that the facilities have "not only not been equal; they have been nonexistent."

The Charlotte Observer said last night that Dr. Frank P. Graham, president of the University of North Carolina, favored establishment of professional schools at A. and T. (Negro) College, Greensboro, and at the North Carolina College for Negroes, Durham.

The paper quoted President Graham as saying "action along this line was recommended by the Governor's commission of education before the question was raised by the ruling in the Missouri case, and while I am not a member of that commission, I am strongly behind the recommendations made in their report."

He said that if the suggestions of the commission did not include professional schools, "I am heartily in favor of adding them to the recommendations." The commission, he said, recommended establishment of graduate schools for Negroes.

Charleston, S. C. News & Courier
December 14, 1938

TEACHERS STUDY NEGRO QUESTION

State Scholarships Plan is Offered as One Solution of Southern Problem

Atlanta, Dec. 13.—(AP): A suggestion that states provide scholarships for negro students was offered today by a negro educator as one solution of the problem raised in the South by the supreme court ruling equality of educational privileges must be accorded white and negro students.

The supreme court itself disregarded a scholarship plan for outside instruction for negroes provided by Missouri in passing on a case from that state in which a negro sought to gain entrance into the University of Missouri law school.

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Among those questioned, only John Hugh Reynolds, president of Hendrix college, Conway, Ark., suggested negroes be admitted to white colleges.

"There probably would be trouble at first—some hot-headed Southern boy might bash a negro's nose—but in a year or two we would get used to it," Reynolds said.

T. H. Harris, Louisiana state superintendent of education said public sentiment in the South "is decidedly against negro and white students attending school together . . . it would be unpleasant for both. It is not sensible."

A Virginia state official, who declined to permit use of his name, said the supreme court decision might make mandatory widespread revisions in Virginia's segregated schooling. Governor James H. Price said he was studying the situation resulting from the supreme court decision.

President M. F. Whittaker of the South Carolina A. and M., college for negroes said he did not consider the cost of separate schools for whites and negroes prohibitive in states like South Carolina, where the negro population is large.

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Halbert Harvil, Tennessee commissioner of education, said creation of an entirely separate school system was not advisable "under the present limited demands for such instruction".

Both Tennessee and Virginia have set up appropriations for assisting negro students to obtain professional training outside those states.

Professor Paul Ramsey, a Yale divinity student and instructor in sociology at Millsaps (Methodist) college, Jackson, Miss., said the court's decision "throws the problem right back on the South".

Dr. Rufus E. Clement, president of Atlanta university for negroes, expressed gratification at the supreme court ruling and asserted "all fair-minded people will agree that the state should not discriminate against any citizen in the matter of extent or type of education offered him at public expense".

State provided scholarships or establishment of separate institutions were suggested by R. B. Eleazer of Atlanta, educational director of the commission of interracial cooperation.

For Professional Schools

Charlotte, Dec. 13.—(AP): The Charlotte Observer said tonight that Dr. Frank P. Graham, president of the greater University of North Carolina, favored establishment of professional schools at A. and T. college, Greensboro, and at the North Carolina college for negroes, Durham.

Monroe, N. C. Enquirer
December 15, 1938

SUPREME COURT RULES FAVOR NEGRO STUDENT

Says University of Missouri Law School Must Admis Him

The Supreme Court ruled Monday that a state must give "equality" in educational privileges to white and negro law students.

It gave this opinion in holding that the University of Missouri Law School must admit Lloyd L. Gaines, St. Louis, negro, as a student.

Chief Justice Hughes delivered the majority opinion that held Missouri, in compelling negro law students to attend school outside the state, had violated the "equal rights" provision of the Constitution.

Missouri provided that until a law school for negroes was developed in the state the tuition of Negro law students should be paid at universities in adjacent states.

"The question here," Chief Justice Hughes said, "is not of a duty of the state to supply legal training, or of the quality of the training which it does supply, but of its duty when it provides such training to furnish it to the residents of the state upon the basis of an equality of right.

"By the operation of the laws of Missouri a privilege has been created for white law students which is denied to negroes by reason of their race.

"The white resident is afforded legal education within the state; the negro resident having the same qualifications is refused it there and must go outside the state to obtain it.

"That is a denial of the quality of legal right to the enjoyment of the privilege which the state has set up, and the provision for the payment of tuition fees in another state does not remove the discrimination."

Among other actions, the court refused to review a National Labor Relations Board contention that the Peninsular and Occidental Steamship Company should reinstate 145 seamen dismissed from two ships. This, in effect, was a defeat for the labor board. While the high tribunal did not pass on the merits of the controversy it left in effect a decision against the board by the fifth Federal circuit court.

Thomas J. Mooney's long fight for freedom encountered defeat again in the Supreme Court.

The tribunal refused a petition fo a writ of habeas corpus, designed to free the California convict from San Quentin penitentiary where he is serving a life sentence for complicity in the 1916 Preparedness Day bombing in San Francisco.

The Globe Trotter . By Cliff Mackay

A Powerful Weapon

NOT SINCE THE memorable opinion upholding your right to serve on juries handed down in the Scottsboro case, has anything so affected your status under the law as has the United States Supreme Court's ruling holding that one Lloyd Games could not be legally excluded from the law school of the University of Missouri.

MACKAY

To say that this ruling was a signal victory for those who have carried on a long, persistent and weary struggle to obtain equal education in those sixteen states possessing dual school systems, is to use a trite and very much overworked expression to describe a step forward that is truly historical.

SIGNIFICANT PARAGRAPH

Many reading Chief Justice Hughes' decision have not really caught the full import of that lengthy document, particularly this most significant of paragraphs:

"By the operation of the laws of Missouri a privilege has been created for white law students which is denied to Negroes by reason of their race . . . That is denial of the equality of legal right to enjoyment of the privilege which the State has set up, and the provision for the payment of tuition fees in another State does not remove the discrimination."

That says in as plain a language as a person holding such high legal position as chief justice can afford to talk, that first, you can't set up a dual system of education unless you make them both equal in character, and secondly, that the efforts of several states, the latest Virginia, to ship colored students to other states for professional training, is "no go" under your Constitution.

The ruling was made on the basis of the much-discussed and much-abused Fourteenth Amendment.

MUST CHANGE SYSTEM

It means that sixteen states, which hitherto, have taken your tax money for education, and yet denied you the same return that is given your white brother for his dollar, must get busy and revolutionize their whole scheme of meting out higher education.

Those of you, who sit back and think that, say Georgia, is going to do this, just because the Supreme Court has ruled that the law is being violated when colored students are not admitted to the University of Georgia, have a long time indeed to sit, and are really doing very little thinking.

For 93 years the University of Missouri has been operated at Columbia without a black face seen in any of its class rooms. The same thing will be true for the University of Georgia until a Lloyd Gaines comes along to challenge this unfair situation, not so much for the opportunity to say he is the "first colored man to attend the University of Georgia", but to make the Board of Curators awake to the inadequacy of the courses offered at Georgia State College for Negroes at Savannah.

THE FINAL SOLUTION

That in the end will be the final solution in all sixteen of these states, who now deny professional training to their colored citizens. It is not expected that the doors of these white schools will be flung open to you.

What you do ask, and now the Supreme Court comes along to support your demand, is that your boys and girls be given the same privileges at higher learning as are provided for children of white taxpayers.

The differences in the curricula of the University of Georgia and Georgia State College are as widely separated as the north and south poles. The sole similarity is that both offer agricultural courses. But black mothers and fathers, who wish their sons to be lawyers, doctors, architects, journalists or to enter any of the other professions must continue to pay toward the support of the white university offering these subjects, and pay additionally to send their youngsters to either private schools or to universities in states, where the color of one's skin is not examined along with his scholastic ability as an entrance requirement.

GIVES YOU WEAPON

Chief Justice Hughes' momentous decision by no means wins your fight to blot out this discrimination. It does put a mighty big weapon in the hands of those few of you bold enough to wage war on a problem that affects all.

Lexington [illegible]
December 15, 1938

OLD PROBLEM REVIVED

THE supreme court of the United States, in an opinion delivered by Chief Justice Hughes, revived an old problem for Southern state universities when it decided Monday that the University of Missouri could not exclude Lloyd L. Gaines, a negro, from its law school. The decision presumably would apply to any other state not now permitting qualified negro students in its graduate schools, and especially in such graduate courses as the state does not provide in colleges for negroes.

Missouri had a provision in its law that a leading negro college there should provide tuition in a law school in some adjacent state for negro students until such time as the negro college in Missouri might develop a law school. This, it seemed, did not particularly put negro graduate students at disadvantage. But the supreme court says that not even that arrangement suffices.

The question has been raised in North Carolina more than once, but for some reason or other has never proceeded to the point of decision given in the Missouri case. There are sixteen states in all, it was stated in this case, that do not admit negroes to their graduate schools. And as was the case in Missouri, it is presumed that they do not provide these specialized courses in state-supported negro colleges. It would entail a rather heavy cost, for instance, for the state of North Carolina to install and maintain schools of medicine law or pharmacy in one of its negro colleges. On the other hand it would probably raise a bit of a ruckus for duly prepared negro students to be admitted to these courses at the University of North Carolina—even if the stars should remain on their courses in case such a thing should happen.

At least it will be interesting to see what results from the supreme court decision.

Anderson, S. C. [illegible] Journal Trib
December 16, 1938

AN EDUCATIONAL PROBLEM

Ruling on a case brought in the State of Missouri, the United States Supreme Court has decided that a state must provide equal educational opportunity for negroes to such specializations as law, medicine, etc.

The State of Missouri, being without a separate institution for teaching negroes law, had followed the practice of arranging to provide such instruction for negroes outside of the state. A negro in Missouri, seeking a law degree, would be found a place in a school outside the state that would provide what he sought.

But the supreme court has ruled that negroes must have equal opportunity *in* Missouri. That means that the negro who brought the case must be allowed to enter the University of Missouri law school, or that a law school for negroes must be set up within the state.

This decision by the highest tribunal of the land is of especial and serious interest to South Carolina, for this state

along with 15 others is in the same position as Missouri: it has no separate law school for negroes.

Scholarships for negroes in other states are not the answer, the court says. Negro educators, however, hold that such a plan is best. They are intelligent enough to know that states in the South forced to set up separate specialization schools for negroes would not provide the breadth of learning available in larger schools in other states that are now open to negroes.

In South Carolina's case, the state could (and probably will be forced to in the future) set up a skeleton law school for negroes at the college at Orangeburg or some other place. Since such students would hardly plan to be admitted to the bar in this state, there is little reason to believe South Carolina negroes would want this plan.

But negroes know that there is absolutely no chance for them to study law at the University of South Carolina, nor is there any chance of one of their race mingling with the whites at Clemson College or any other state institution. The wiser ones among the negroes know that no such effort should be made.

The negro presents an educational problem that must eventually be faced by the Southern states. But no intermingling of the races in the classroom, from kindergarten on up the line, will ever be permitted in the South.

The answer to the problem, for this and for other Southern states, is to fulfil the letter of the constitution and set up separate schools, including skeleton graduate branches, for negroes.

The wise negro, seeking an education beyond that offered by the state negro colleges, will in that case seek to continue his education outside of the state. That seems to be one answer to the problem presented by the decision in the Missouri case.

Greenville, S. C. Observer
December 23, 1938

ONE WAY OUT

The decision of the United States supreme court that Negro students cannot be denied admission to state supported institutions, unless segregation provide similar courses for whites and blacks, may make a great deal of trouble, a fact two dissenting justices recognized when they said there was no reason to disturb local conditions which had always existed, in view of the fact that the Missouri authorities had offered to give the rejected applicant a scholarship in some law school which admitted Negroes. The case came from the Show Me state, which provides facilities for legal education of whites, but not of Negroes.

There are more ways of killing a cat than choking it with cream. West Point and Annapolis, the two service schools of this country, are under the law as open to Negroes as to whites, but when a Negro gets an appointment to one he does not stay there long. The white cadets and middies handle the situation and without violence. The Negro appointee is treated as if he were not there. It would take a tough appointee to endure that for four years.

Asheville, N. C. Times
December 15, 1938

Legislators, Please Note

NO RACIAL bugbear for the South arises from the United States Supreme Court's decision with regard to a Negro student's application for matriculation in the law school of the University of Missouri.

It is a question of equal educational opportunity for the races, and on this issue the 6 to 2 decision simply hews to the plain line of constitutional rights. The court tells the state of Missouri that it must do one of two things: admit the Negro student to the University law courses or provide adequate facilities in some Missouri institution of higher education for Negroes.

But this court ruling will pose an issue for the North Carolina Legislature when in January it begins its consideration of the recommendations by the special educational commission with regard to Negro schools and colleges.

This question did arise in this state some years ago, but it disappeared from debate because the Negro student could not qualify for a course in pharmacy.

Once again, the question of Negro students at the University of North Carolina was brought forward; but the common counsel of leaders of both races in the state settled it without acrimony or court action.

There seems to be evidence abundant that the older leaders of the North Carolina Negroes prefer to see existing colleges for Negroes strengthened and provided with equal graduate instruction.

At this point, therefore, the opportunity for the Legislature to act foresightedly comes squarely into view.

The North Carolina legislators will hear from Governor Hoey's commission recommendations for an appropriation of nearly $700,000 for Negro schools and colleges. Acting on that deliberately considered proposal of a commission which made careful study of the matter, the Legislature should have no difficulty, and no future regrets, in establishing graduate schools for the Negroes of the state in the present North Carolina centers of education for the Negroes.

Pensacola, Fla. News
December 14, 1938

Negro Educator Asks Dixie Provide For Scholarships

ATLANTA, Dec. 14.—(AP)—A suggestion that states provide scholarships for negro students was offered today by a negro educator as one solution of the problem raised in the South by the supreme court ruling equality of educational privileges must be accorded white and negro students.

The supreme court itself disregarded a scholarship plan for outside instruction for negroes provided by Missouri in passing on a case from that state in which a negro sought to gain entrance into the University of Missouri law school.

Varying views were expressed today by southern educators regarding the best method of meeting the situation.

The negro educator, J. B. Watson, president of Arkansas Agricultural Mechanical and Normal college for negroes at Pine Bluff, said he believed the problem could best be solved by state, scholarships in institutions that admit negroes to membership.

Among those questioned, only John Hugh Reynolds, president of Hendrix college, Conway, Ark., suggested negroes be admitted to white colleges.

"Separate schools are now maintained in Arkansas for courses in which the negroes are largely interested," Reynolds said. "If any negroes wished to study law or medicine or such—and there would be few desiring this—they should be admitted to the regular classes at the university. There probably would be trouble at first—some hot-headed Southern boy might bash a negro's nose— but in a year or two we would get used to it."

T. H. Harris, Louisiana State superintendent of education said public sentiment in the South "is decidedly against negro and white students attending school together. . . . It would be unpleasant for both. It is not sensible."

A Virginia state official, who declined to permit use of his name, said the supreme court decision might make mandatory widespread revisions in Virginia's segregated schooling. A department head suggested as a partial solution that a separate medical school for negroes be established as a unit of the Medical College of Virginia and that the present state college for negroes at Petersburg be enlarged to include most postgraduate work. Governor James H. Price said he was studying the situation resulting from the supreme court decision.

Dr. Rufus E. Clement, president of Atlanta university for negroes expressed gratification at the supreme court ruling, and asserted "all fair-minded people will agree that the state should not discriminate against any citizen in the matter of extent or type of education offered him at public expense. . . . To neglect any group in the population only paves the way for the eventual establishment of a government which will be distintly un-American."

[illegible]
December 16, 1938

The United States Supreme court has ruled that the University of Missouri cannot exclude negroes from its law school because it is tax-supported and no such school is provided by taxation for negroes. Separate schools for elementary education are provided in southern states and if equal higher educational advantages are not provided for all races in separate institutions those for whites cannot exclude students on account of their racial status. That would seem to put the problem squarely up to state-supported colleges and universities in North Carolina that heretofore have excluded all except white students.

DISCRIMINATION - 1938

Mullings S. C. Enterprise
December 22, 1938

Negroes and Colleges

News and Courier, Charleston.

The decision of the United States supreme court that the University of Missouri must admit a Negro to its law school in the absence of a state-supported school for Negroes within the state's borders has the effect of a command to the University of South Carolina to admit Negroes to its professional departments. A Negro has applied for admission to its law school.

The states of the South may adopt one of several courses in respect of this issue.

They may admit Negroes to their white institutions, giving up the fight for racial separation.

They may establish separate professional schools for Negroes.

They may withdraw state aid to professional schools. That would be to abolish schools of law, pharmacy, teaching, medicine, engineering, (Journalism as taught in the Southern universities is an undergraduate study and may scarcely be called professional).

The state universities with the tacit consent of the public may pretend compliance with the supreme court's decision and evade and nullify it by subterfuges and by resort to ways that would make the lives of Negroes unendurable within the institutions. This would not be without precedent, and for a long time it might relieve the situation from the white man's point of view. It is not a pleasant or decent thing to think of, but it would be the natural result of the devious, uncertain, unfrank and dishonest policy of the United States toward its Negro question the last 100 years. Continually hypocrisy has forced the South upon occasion to be ruffian or rascal.

Were the law school alone involved, the problem could be easily disposed of in South Carolina. No state-supported law school is needed or is desirable. The South Carolina law school has long been more a hatchery of politicians than lawyers, and the value of it to the commonwealth is matter of grave doubt, to put the case in polite terms.

Indeed, that the state should support professional schools or "higher education" is not to be taken for granted. The pioneer days when their support was expedient have now departed. Privately supported and therefore relatively independent institutions have multiplied. Wofford would not be compelled by the court's decision to admit Negroes nor would Oglethorpe, Belmont, Sewanee, Furman or Duke. The new modes of travel have placed those institutions closer to South Carolina than Greenville was to Columbia a quarter century ago.

In general the court's decision will increase the interest of Southern people in their privately supported colleges, among which are their church colleges. The movement by governments, federal and state, to break down racial barriers cannot, must not, escape observation. The Republican and Democratic parties are appealing to the Negro voters and endeavoring to force the ballot upon the Southern Negroes. To this effort in national politics signs of willingness to capitulate are unmistakable, though not yet plainly visible, in some Southern state institutions. Virtually all of them are mendicants for federal appropriations, and if their directors are not entirely stupid they must know that they cannot eat the bread without singing the song.

The supreme court's decision menaces Southern state supported institutions of every kind—unless the Southern white people are ready to surrender the practice of race separation. The masses do not know it, but a few of their political leaders would deliver them into the hand of the Negroes rather than give up their miserable little jobs.

Richmond, Va., Times-Dispatch
December 13, 1938

Negroes and Higher Learning

YESTERDAY'S Supreme Court decision that a State must provide "equality" in educational privileges to white and Negro law students, apparently means that if a qualified Negro should seek today to enter the University of Virginia Law School, the university authorities could not legally refuse to admit him. The court directed the University of Missouri Law School to admit a St. Louis Negro.

What will the result of this decision be in Virginia and the other Southern States? Will Negroes immediately begin applying for graduate and professional instruction at the State universities? We hope not. It would be especially unfortunate if anything should occur in Virginia to mar the unusually pleasant relations between the races here.

We do not believe there would be violence if a Negro applied for admission to the University of Virginia, for such an application was filed in 1935 by ALICE JACKSON, a Richmond Negro who had been graduated from Virginia Union University, and who desired to take the university's postgraduate modern language course. This application was turned down, and nothing more was heard from the matter.

We are convinced, however, that if a Negro today should force his way into the university, as a consequence of the Supreme Court's ruling in the Missouri case, racial antagonisms would be markedly increased. The effects would be felt not only in the university community, but also in the remotest Virginia hamlet. Arguments that it should not be so are beside the point. This is an issue on which logic gives way to emotion.

AS THE TIMES-DISPATCH said three years ago, when this issue was posed by the application of ALICE JACKSON for admission to the State university, the question is not what the Negro has a legal right to do, but what it is wise for him to attempt. Our conviction then was that any effort on his part to enforce his rights, at the expense of the great good will that has been built up between the races in Virginia, would be more harmful to him in the end than otherwise.

At that time, we advocated appropriation by the State of sums to permit qualified Negroes to secure graduate and professional instruction at Northern institutions, and the General Assembly appropriated funds for this purpose at its next session. Now that the Supreme Court has just ruled that such appropriations are not sufficient to remove the discrimination against Negroes, the State of Virginia is apparently faced with the necessity of admitting Negroes to those institutions of higher learning which heretofore have been exclusively for whites, or of providing adequate graduate and professional instruction elsewhere.

Consequently, the Supreme Court's decision would seem to be the signal for the development at the State College for Negroes in Petersburg of the required graduate and professional instruction. It will cost a good deal of money, but unless the whites desire to admit Negroes to the institutions which heretofore have been closed to them, it is the only alternative which presents itself. Our qualified Negro citizens are clearly entitled to this type of instruction at one place or the other. We believe overwhelming sentiment will favor providing it at Petersburg.

Charleston, S. C. News & Courier
December 14, 1938

Negroes in Southern Colleges?

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The states of the South may adopt one of several courses in respect of this issue.

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Indeed, that the state should support professional schools or "higher education" is not

to be taken for granted. The pioneer days when their support was expedient have departed. Privately supported and therefore relatively independent institutions have multiplied. Wofford would not be compelled by the court's decision to admit negroes nor would Oglethorpe, Belmont, Sewanee, Furman or Duke. The new modes of travel have placed those institutions closer to South Carolina than Greenville was to Columbia a quarter century ago.

In general the court's decision will increase the interest of Southern people in their privately supported colleges, among which are their church colleges. The movement by governments, federal and state, to break down racial barriers cannot, must not escape observation. The Republican and Democratic parties are appealing to the negro voters and endeavoring to force the ballot upon the Southern negroes. To this effort in national politics signs of willingness to capitulate are unmistakable, though not yet plainly visible, in some Southern state institutions. Virtually all of them are mendicants for federal appropriations, and if their directors are not entirely stupid they must know that they cannot eat the bread without singing the song.

The supreme court's decision menaces Southern state supported institutions of every kind—unless the Southern white people are ready to surrender the practice of race separation. The masses do not know it, but a few of their political leaders would deliver them into the hand of the negroes rather than give up their miserable little jobs.

December 13, 1938

EDITORIAL

Solution by Letters

Southerners are accustomed to sidestepping by common consent the question of Negro education as one that is unpleasant and fraught with controversy.

But several pertinent points are completely disregarded in the general attitude of Southerners to the race question. The points of immediate social, political and economic equality, contrary to careless impression, are relatively unimportant. The immediate problems are those of education and of providing advantages whereby the Negro may improve his own social and economic standards so that he will become an increasingly useful citizen. As this progress is made, the two popularly dramatized problems will solve themselves.

And the matter of education is one in which neglect by the whites has been equalled perhaps only by persecution of certain other minorities by a certain other race majority in another land across the sea.

Yesterday the United States Supreme Court handed down a decision which throws a new light on the legal duty of states to provide equal educational advantages for Negroes and whites.

Tht case was one involving refusal by the University of Missouri to admit a Negro to its school of law.

Said the Supreme Court:

"We are of the opinion that petitioner was entitled to be admitted to the law school of the state university in the absence of other proper provision for his legal training within the state."

The implications of this decision plainly are deep. It bluntly indicates the opinion that, while separate schools may be established for Negroes and whites, it is incumbent upon the states to provide equal standards of education.

From a practical standpoint, the problems involved still are unsolved. Only the principle has been established. Its justice has been obvious but never before has the Supreme Court ruled upon this particular point.

In most Southern states it would be financially impractical to construct separate institutions of higher education for Negroes, and in most of them the number of Negroes applying for university educations would not be great enough to warrant such separate schools.

For the present the brightest future for the greatest number of Negroes seems to be in vocational training rather than in the arts and professions. But there is no justice in closing to those exceptional members of the Negro race who are equipped to proceed with professional training the same advantages toward doing so which are available to white students.

If these advantages are kept closed, the almost miraculous progress of the Negro race from the jungle little more than a century ago to conditions of 1938 will be stopped. Development of the race to fit into American social and economic patterns will be retarded to inflame and incite.

Progress toward eventual adjustment seems slow, but such milestones as yesterday's decision of the Supreme Court appear occasionally to prove that progress, considered in terms of years of history, has been amazingly rapid. It has not been painless and there will be strains and stress to come. But it is for the advantage of both races which live together in these Southern states that the Negro be given tools to build himself a bighter future. For in his future, as much as in the future of any other population group, is concerned the progress of the whole people.

Georgia's state universities won't be flooded next fall with Negro students. Nobody need be frightened about that. But when the day comes when a Negro student of good scholastic record applies for admission in Georgia Tech or the University of Georgia, there should be no fuss, no hesitancy. He should be granted registration and an opportunity to learn. And his problems of student relationships probably will not be as acute as they would have been 20 years ago.

Natchez, Miss. Democrat
December 14, 1938

SUPREME COURT RULING RAISES DIXIE PROBLEM

Negro Educator Offers The Suggestion That The States Provide Scholarships For Negro Students

ATLANTA, Dec. 13—A suggestion that states provide scholarships for negro students was offered today by a negro educator as one solution of the problem raised in the south by the supreme court ruling equality of educational privileges must be accorded white and negro students.

The supreme court itself disregarded a scholarship plan for outside instruction for negroes provided by Missouri in passing on a case from that state in which a negro sought to gain entrance into the University of Missouri Law School.

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T. H. Harris, Louisiana state superintendent of education, said public sentiment in the south is "decidedly opposed to negroes and white students attending school together. It would be unpleasant for for both. It is not sensible."

Prof. Paul Ramsey, a Yale divinity student and instructor in sociology at Millsaps (Methodist) College, Jackson, Miss., said the court's decision "throws the problem right back on the south."

"Damnify Both Races"

One day some three years ago, 24-year-old Lloyd L. Gaines, Negro, bearing a diploma from Missouri's Lincoln University (for Negroes), presented himself at University of Missouri, surprised its officials by proposing to enter their Law School. In its 96 years, the university had never admitted a Negro. Like all Southern States, Missouri makes Negroes and whites attend separate schools.

More forehanded, however, than most Southern States, which make no provision for Negroes' professional education, Missouri had provided scholarships in northern law schools for Negroes. Missouri officials offered Gaines such a scholarship. Gaines refused it, insisted on his right to be taught law in Missouri, like white folks. Last week, in a historic decision, the U. S. Supreme Court held that Lloyd Gaines was within his rights.

The Court found that 1) Gaines was admittedly qualified to enter University of Missouri's Law School, and 2) Missouri could not shift to another State its constitutional duty to provide equal educational opportunities for all citizens, whatever their color. Reversing Missouri's courts the U. S. Supreme Court ordered Missouri to admit Lloyd Gaines to its State university or give him legal training at Lincoln University.

White politicians in 16 Southern States that lack Negro professional schools, expecting this burst dam to bring a flood of applications from Negroes for admittance to whites' schools, sputtered and fumed. None was more vehement, however, than Kentucky-born Justice James McReynolds, who wrote a dissenting opinion (Minnesota-born Justice Pierce Butler concurring). Stormed Justice McReynolds: "I presume Missouri may . . . break down the settled practice concerning separate schools and thereby, as indicated by experience, damnify both races."

Playing for time, Missouri waited for official word from the Court, refused to say what it would do with Lloyd Gaines, now a clerk in the Michigan civil service. Best guess was that the Legislature would start a law course at Lincoln University.

Meanwhile Walter White, secretary of the Advance- ment of Colored People, which financed the the court's ruling that Negroes must have Gaines test case, declared the decision was equal educational opportunities means that more sweeping than he had hoped. To the South must establish parity in expendi- Negroes it means far more than a chance tures from top to bottom of its school sys- to go to professional school. The South to- tem. Realist White observed: "We still day spends only one-fourth as much for have a struggle ahead to get the States to obey the court's mandate."

to be taken for granted. The pioneer days when their support was expedient have departed. Privately supported and therefore relatively independent institutions have multiplied. Wofford would not be compelled by the court's decision to admit negroes nor would Oglethorpe, Belmont, Sewanee, Furman or Duke. The new modes of travel have placed those institutions closer to South Carolina than Greenville was to Columbia a quarter century ago.

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Macon (Ga.) News
December 13, 1938

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Solution by Letters

Southerners are accustomed to sidestepping by common consent the question of Negro education as one that is unpleasant and fraught with controversy.

But several pertinent points are completely disregarded in the general attitude of Southerners to the race question. The points of immediate social, political and economic equality, contrary to careless impression, are relatively unimportant. The immediate problems are those of education and of providing advantages whereby the Negro may improve his own social and economic standards so that he will become an increasingly useful citizen. As this progress is made, the two popularly dramatized problems will solve themselves.

And the matter of education is one in which neglect by the whites has been equalled perhaps only by persecution of certain other minorities by a certain other race majority in another land across the sea.

Yesterday the United States Supreme Court handed down a decision which throws a new light on the legal duty of states to provide equal educational advantages for Negroes and whites.

Tht case was one involving refusal by the University of Missouri to admit a Negro to its school of law.

Said the Supreme Court:

"We are of the opinion that petitioner was entitled to be admitted to the law school of the state university in the absence of other proper provision for his legal training within the state."

The implications of this decision plainly are deep. It bluntly indicates the opinion that, while separate schools may be established for Negroes and whites, it is incumbent upon the states to provide equal standards of education.

From a practical standpoint, the problems involved still are unsolved. Only the principle has been established. Its justice has been obvious but never before has the Supreme Court ruled upon this particular point.

In most Southern states it would be financially impractical to construct separate institutions of higher education for Negroes, and in most of them the number of Negroes applying for university educations would not be great enough to warrant such separate schools.

For the present the brightest future for the greatest number of Negroes seems to be in vocational training rather than in the arts and professions. But there is no justice in closing to those exceptional members of the Negro race who are equipped to proceed with professional training the same advantages toward doing so which are available to white students.

If these advantages are kept closed, the almost miraculous progress of the Negro race from the jungle little more than a century ago to conditions of 1938 will be stopped. Development of the race to fit into American social and economic patterns will be retarded to inflame and incite.

Progress toward eventual adjustment seems slow, but such milestones as yesterday's decision of the Supreme Court appear occasionally to prove that progress, considered in terms of years of history, has been amazingly rapid. It has not been painless and there will be strains and stress to come. But it is for the advantage of both races which live together in these Southern states that the Negro be given tools to build himself a bighter future. For in his future, as much as in the future of any other population group, is concerned the progress of the whole people.

Georgia's state universities won't be flooded next fall with Negro students. Nobody need be frightened about that. But when the day comes when a Negro student of good scholastic record applies for admission in Georgia Tech or the University of Georgia, there should be no fuss, no hesitancy. He should be granted registration and an opportunity to learn. And his problems of student relationships probably will not be as acute as they would have been 20 years ago.

Natchez (Miss.) Democrat
December 14, 1938

SUPREME COURT RULING RAISES DIXIE PROBLEM

Negro Educator Offers The Suggestion That The States Provide Scholarships For Negro Students

ATLANTA, Dec. 13—A suggestion that states provide scholarships for negro students was offered today by a negro educator as one solution of the problem raised in the south by the supreme court ruling equality of educational privileges must be accorded white and negro students.

The supreme court itself disregarded a scholarship plan for outside instruction for negroes provided by Missouri in passing on a case from that state in which a negro sought to gain entrance into the University of Missouri Law School.

Varying views were expressed today by southern educators regarding the best method of meeting the situation. The negro educator, J. B. Watson president of Arkansas Agricultural Mechanical and Normal College for Negroes at Pine Bluff, said he believed the problem could best be solved by state scholarships in institutions that admit negroes to membership.

Among those questioned, only JoJhn Hugh Reynolds, president of Hendrix College, Conway, Ark., suggested that negroes be admitted to white colleges.

"Separate schools are now maintained in Arkansas for courses in which Reynolds said. "If any negroes wish- the negroes are largely interested," ed to study law or medicine or such— adn there would be few desiring this— they should be admitted to the regular classes at the university. There probably would be trouble at first—some hot-headed southern boy might mash a negro's nose—but in a year or two he would get used to it."

T. H. Harris, Louisiana state superintendent of education, said public sentiment in the south is "decidedly opposed to negroes and white students attending school together. It would be unpleasant for for both. It is not sensible."

Prof. Paul Ramsey, a Yale divinity student and instructor in sociology at Millsaps (Methodist) College, Jackson, Miss., said the court's decision "throws the problem right back on the south."

"Damnify Both Races"

One day some three years ago, 24-year-old Lloyd L. Gaines, Negro, bearing a diploma from Missouri's Lincoln University (for Negroes), presented himself at University of Missouri, surprised its officials by proposing to enter their Law School. In its 96 years, the university had never admitted a Negro. Like all Southern States, Missouri makes Negroes and whites attend separate schools.

More forehanded, however, than most Southern States, which make no provision for Negroes' professional education, Missouri had provided scholarships in northern law schools for Negroes. Missouri officials offered Gaines such a scholarship. Gaines refused it, insisted on his right to be taught law in Missouri, like white folks. Last week, in a historic decision, the U. S. Supreme Court held that Lloyd Gaines was within his rights.

The Court found that 1) Gaines was admittedly qualified to enter University of Missouri's Law School, and 2) Missouri could not shift to another State its constitutional duty to provide equal educational opportunities for all citizens, whatever their color. Reversing Missouri's courts the U. S. Supreme Court ordered Missouri to admit Lloyd Gaines to its State university or give him legal training at Lincoln University.

White politicians in 16 Southern States that lack Negro professional schools, expecting this burst dam to bring a flood of applications from Negroes for admittance to whites' schools, sputtered and fumed. None was more vehement, however, than Kentucky-born Justice James McReynolds, who wrote a dissenting opinion (Minnesota-born Justice Pierce Butler concurring). Stormed Justice McReynolds: "I presume Missouri may . . . break down the settled practice concerning separate schools and thereby, as indicated by experience, damnify both races."

Playing for time, Missouri waited for official word from the Court, refused to say what it would do with Lloyd Gaines, now a clerk in the Michigan civil service. Best guess was that the Legislature would start a law course at Lincoln University.

Meanwhile Walter White, secretary of the National Association for the Advance- ment of Colored People, which financed the Gaines test case, declared the decision was equal educational opportunities means that Negroes it means far more than a chance to go to professional school. The South to- day spends only one-fourth as much for each Negro child's education as for each white child's, and in Walter White's view the court's ruling that Negroes must have more sweeping than he had hoped. To the South must establish parity in expenditures from top to bottom of its school system. Realist White observed: "We still have a struggle ahead to get the States to obey the court's mandate."

Chester, S. C., Reporter
December 15, 1938

TEACHERS STUDY NEGRO QUESTION

State Scholarship Plan Is Offered As One Solution Of Southern Problem.

Atlanta, Dec. 13.—A suggestion that states provide scholarships for negro students was offered today by a negro educator as one solution of the problem raised in the South by the supreme court ruling equality of educational privileges must be accorded white and negro students.

The supreme court itself disregarded a scholarship plan for outside instruction for negroes provided by Missouri in passing on a case from that state in which a negro sought to gain entrance into the University of Missouri law school.

Varying views were expressed today by Southern educators regarding the best method of meeting the situation.

The negro educator, J. B. Watson, president of Arkansas agricultural mechanical and normal college for negroes at Pine Bluff said he believed the problem could best be solved by state scholarships in institutions that admit negroes to membership.

Among those questioned, only John Hugh Reynolds, president of Hendrix college, Conway, Ark., suggested negroes be admitted to white colleges.

"There probably would be trouble at first—some hot-headed Southern boy might bash a negro's nose—but in a year or two we would get used to it," Reynolds said.

T. H. Harris, Louisiana state uperintendent of education, said public sentiment in the South "is decidedly against negro and white students attending school together . . . it would be unpleasant for both. It is not sensible."

A Virginia state official, who declined to permit use of his name, said the supreme court decision might make mandatory widespread revisions in Virginia's segregated schooling. Governor James H. Price said he was studying the situation resulting from the supreme court decision.

President M. F. Whitaker of the South Carolina A. and M., college for negroes said he did not consider the cost of separate schools for whites and negroes prohibitive in states like South Carolina, where the negro population is large.

The high court decision was hailed as "in the interest of justice and the only one which could be called consistent with our democratic ideals" by Dr. William Stuart Nelson, president of Dillard university, New Orleands (negro college.)

Halbert Harvil, Tennessee commissioner of education, said creation of an entirely separate school system was not advisable "under the present limited demands for such instruction."

Both Tennessee and Virginia have set up appropriations for assisting negro students to obtain professional training outside those states.

Professor Paul Ramsey, a Yale divinity student and instructor in sociology at Millsaps (Methodist) college. Jackson, Miss., said the court's decision "throws the problem right back on the South."

Dr. Rufus E. Clement, president of Atlanta university for negroes, expressed gratification at the supreme court ruling and asserted "all fair-minded people will agree that the state should not discriminate against any citizen in the matter of extent or type of education offered him at public expense."

State provided scholarships or establishment of separate institutions were suggested by R. B. Eleazer of Atlanta, educational director of the commission of interracial co-operation.

Charlotte, Dec. 13.—The Charlotte Observer said tonight that Dr. Frank P. Graham, president of the greater University of North Carolina, favored establishment of professional schools at A. and T. college, Greensboro, and at the North Carolina college for negroes, Durham.

Seneca, S. C., Journal
December 21, 1938

The High Tribunal Has Spoken

DURING THE past week, a decision has been handed down by the Supreme Court which may well have far-reaching effect on residents of this area as citizens of South Carolina.

The decision in question was the ruling on a case brought in the State of Missouri. In this ruling, the Supreme Court decided that a state must provide equal educational opportunities for negroes to such specializations as law, medicine, etc.

An almost identical case occured in South Carolina last spring, at which time, a negro applied for admittance to the law school of the University of South Carolina and was refused. The only difference in the case being that Missouri school offered, as is their practice, to pay the negro's tuition at a law school outside the state. The court decided that this device is not allowable.

This decision by the highest tribunal in the nation leaves South Carolina, and 15 other states which have no separate law schools for negroes, faced with a problem which, though small now, has every possibility of growing into one of major proportions. It is also a problem to which the solutions are limited.

Violence or undue inciting of race hatred or feeling must be avoided at any cost. It is likewise apparent that admitting negroes to white schools is entirely out of the question.

Then, there is the policy of ignoring the ruling altogether until further action on part of the court is taken. This is deemed unwise for it may easily lead to such drastic steps as withdrawal of federal funds from state instiutions who continue to deny the negro admittance.

From this trend of thought the only plausible solution which emerges is the establishment of a school of law at the State College for Negroes at Orangeburg. This school will be a skeleton school at best, but it will keep the state within the letter of the law.

The wise negro can get his training there and if he seeks an education beyond that offered by the state, he can continue his edcation at already well-established schools in other areas, possibly with financial aid from the state, which in this case, would be ruled permissible.

Citizen
December 15, 1938

ANOTHER MISSOURI EPOCH MAKER

The United States Supreme Court decision in the Missouri Law School case must be a heartening sign of the times to many liberal thinkers throughout the country. And, as The New York Times so fittingly observed, the incident is one of a series of recent occasions when the highest tribunal in the land has come out fairly for human and constitutional rights in direct contradiction of the charge that "the nine old men" are always and only interested in the plutocracy and the corporations.

Missouri is not exactly a Southern state but it is one of those border states where social movements of extreme interest to the real Dixie often find a testing ground. The question involved here was the right of a young Negro to matriculate at the University of Missouri law school, there being no law department at Lincoln University—which is maintained by the State of Missouri for the higher education of Negroes. The court, as all newspaper readers now know, decided that the student in question must be admitted or that a department of law to which he could be admitted must be established at Lincoln.

The time is rapidly arriving in the United States when all such matters will have to be decided on the basis of the individual qualifications of the person involved regardless of race, creed or financial status. In this connection one must note with admiration Mr. John Temple Graves' contention that voting everywhere should be a privilege granted upon a fairly high educational test rather than according to any arbitrary system. Just because so large a proportion of the colored population of this country has for generations not enjoyed the advantages which would fit them for active citizenship is no longer reason for denying the rights of citizenship to those members of the race who are able to qualify.

At the same time a sane movement in this direction will be greatly aided as Negroes themselves come to possess the sense of responsibility which an advancing status brings with it. Long the benefactors as well as the victims of a paternalistic system, they must be willing to leave all that behind as they go forward. Many of the difficult individual situations of this transition age come because the person concerned finds himself halting between two worlds, demanding the new rights of one and the old privileges of the other.

He Can Enter Law School

The suit of Lloyd L. Gaines, of St. Louis, seeking admission to the law school of the University of Missouri, upheld last week by the United States Supreme court, may revolutionize the whole educational systems of the 16 states having dual school setups. The court ruled that a state must give "equality" in educational privileges to white and Negro students. Most Southern states provide no means of professional training for colored students. This photo was made at the time Mr. Gaines sought entrance to the law school in 1936.

Supreme Court Decision Spurs Drive For Better Education

NEW YORK, N. Y.—The sweeping opinion of the United States Supreme Court issued December 12 ordering the State of Missouri to provide Negro students with the same facilities for studying law as are provided for white students will be the entering wedge in a campaign to improve the education of Negroes in the South all down the line to the smallest rural school, it was announced here by officials of the National Association for the Advancement of Colored People.

The University of Missouri case, where Lloyd L. Gaines, a colored college graduate, sought to enter the University of Missouri law school, was the eleventh victory of the NAACP and its lawyers in the highest court of the land.

MUST BE EQUAL IF SEPARATE

NAACP officials and their legal staff point to a sentence in the broad opinion of the supreme court as one of the most significant in the whole opinion and one upon which a further campaign for equality of elementary and secondary education will be based. It is

"The admissibility of laws separating the races in the enjoyment of privileges afforded by the state rests wholly upon the equality of the privileges which the laws give to the separated groups within the state."

This sentence is regarded as re-enforcing and expanding the past opinions of the supreme court on "separate but equal" provisions for the races.

WILL REDOUBLE EFFORTS

On the basis of this pronouncement and others which have been made from time to time, but which have been ignored by many states, the NAACP proposes to redouble its efforts to improve education for Negroes in the rural and city elementary schools in the South; in the high schools; in bus transportation for Negro rural pupils; and in the allocation and administration of the millions of dollars of federal funds given to the states each year for educational purposes.

Even white southerners now admit freely that "separte but equal schools do not exist anywhere in the South except in one or two local instances.

Natlanta Ga. Intelligence
December 8, 1938

Negro Scientist Finds Many Uses For Peanuts

DOTHAN, Ala., Dec. 6, (UP)—Three persons, believed by physicians to be invalids for life, are now playing football because of the recent discoveries of medicinal value of peanut oil, Dr. Georgie Washington Carver, famed Negro scientist, said here today.

Carver emphasized, however, that the peanut oil, used as a massage, is still in the experimental stage.

The Tuskegee scientist said he had received letters from more than 6,000 victims of paralysis asking if they could be benefited by the oil.

"I'm not a doctor of medicine," Carver said. "When it is complete I will give it to doctors, but first I must work out the facts."

Carver has developed many uses for the "lowly goober" and its shell. Recently, he demonstrated a number of by-products, including imitation milk, shampoo, vinegar, soap, beauty preparations, ink, powder, rubber and charcoal made from the nut.

Columbia S. C. State
December 14, 1938

Scholarships For Negroes Are Proposed

Atlanta, Dec. 13—(AP)—A suggestion that state provide scholarships for Negro students was offered today by a Negro educator as one solution of the problem raised in the South by the supreme court ruling equalists o educational privileges must be accorded white and Negro students.

The supreme court itself disregarded a scholarship plan for outside instruction for Negroes provided by Missouri in passing on a case from that state in whicha Negro sought to gain entrance into the University of Missouri law school.

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Valdosta, Ga., Daily Times
December 15, 1938

The Supreme Court has ruled that the University of Missouri must accept a negro as a student if the negro so desires. But, knowing things down this way as they are, and believing that conditions in Missouri are probably about the same, we would suggest that any negro who takes advantage of that decision will not be a student for very long.

Moorestown, N. J. Enterprise
December 22, 1938

Supreme Court Rules Favor Negro Student

The Supreme Court has ruled that a state must give "equality" in educational privileges to white and negro law students.

It gave this opinion in holding that the University of Missouri Law School must admit Lloyd L. Gaines, St. Louis, negro, as a student.

Chief Justice Hughes delivered the majority opinion that held Missouri, in compelling negro law students to attend school outside the state, had violated the "equal rights" provision of the Constitution.

Missouri provided that until a law school for negroes was developed in the state the tuition of Negro law students should be paid at universities in adjacent states.

"The question here," Chief Justice Hughes said, "is not of a duty of the state to supply legal training, or of the quality of the training which it does supply, but of its duty when it provides such training to furnish it to the residents of the state upon the basis of an equality of right.

"By the operation of the laws of Missouri a privilege has been created for white law students which is denied to negroes by reason of their race.

"The white resident is afforded legal education within the state; the negro resident having the same qualifications is refused it there and must go outside the state to obtain it.

"That is a denial of the quality of legal right to the enjoyment of the privilege which the state has set up, and the provision for the payment of tution fees in another state does not remove the discrimination."

Among other actions, the court refused to review a National Labor Relations Board contention that the Peninsular and Occidental Steamship Company should reinstate 145 seamen dismissed from two ships. This, in effect, was a defeat for the labor board. While the high tribunal did not pass on the merits of the controversy it left in effect a decision against the board by the fifth Federal circuit court.

DISCRIMINATION - 1938

Supreme Court Decision In Univ. Of Missouri Case Spurs Drive On South's Educational Inequalities

The sweeping opinion of the United States Supreme Court issued December 12 ordering the State of Missouri to provide Negro students with the same facilities for studying law as are provided for white students, will be the entering wedge in a campaign to improve the education of Negroes in the South all down the line to the smallest rural school, it was announced here Saturday by officials of the National Association for the Advancement of Colored People.

The University of Missouri case, where Lloyd L. Gaines, a colored college graduate, sought to enter the University of Missouri law school, was a victory of the N. A. A. C. P., and its lawyers in the highest court of the land. The lawyers in the Missouri case were Charles H. Houston, special counsel of the Association, and Sidney R. Redmond of St. Louis, Mo., president of the St. Louis branch of the N. A. A. C. P.

The high court opinion declared that the laws passed by several states recently providing for the payment of tuition of Negro students in northern and western states were not satisfactory and did not in effect provide equality.

'By the operation of the laws of Missouri, a privilege has been created for white law students which is denied to Negroes by the reason of their race. The white resident is afforded legal education within the state; the Negro resident having the same qualifications is refused it there and must go outside the state to obtain it. That is a denial of the equality of legal right to the enjoyment of the privilege which the state has set up, and the provision for the payment of tuition fees in another states does not remove the discrimination."

Must Be Equal If Separate

N. A. A. C. P. officials and their legal staff point to another sentence in the broad opinion of the Supreme Court as one of the most significant in the whole opinion and one upon which a further campaign for equality of elementary and secondary education will be based. It is::

"The admissibility of laws separating the races in the enjoyment of privileges afforded by the state rests wholly upon the equality of the priviliges which the laws give to the separated groups within the state."

This sentence is regarded as reenforcing and expanding the past opinions of the Supreme Court on "separate but equal" provisions for the races.

On the basis of this pronouncement and others which have been made from time to time, but which have been ignored by many states, the N. A. A. C. P. proposes to redouble its efforts to improve education for Negroes in the rural and city elementary schools in the South; in the high schools; in busing transporation for Negro rural pupils; and in the allocation and administration of the millions of dollars of federal funds given to the states each year for educational purposes.

Even white Southerners now admit freely that "separate but equal" schools do not exist anywhere in the South except in one or two local instances.

Federal Funds Unequal

As for the administration of federal funds received by the state, a fair example is to be found in Missouri. In his brief before the Supreme Court, Mr. Houston pointed out that out of $408,000 received by Missouri in 1934 from various federal funds for education, about $3,000 went to the state Negro school and $405,000 went to the University of Missouri. Mr. Houston showed that although Negroes form 6.2 percent of the population of Missouri they receive .8 of one percent of the money alotted to the state from federal funds.

The University of Missouri case is one more step forward in the campaign which was launched actively by the Association in 1935. The N. A. A. C. P. spent more than $8,000 in surveys and legal research prior to 1935 in laying the ground work for the actual campaign.

In 1935 Mr. Houston, who was then vice-dean of the Howard University law school, was invited to join the N. A. A. C. P. staff as special counsel to conduct the active legal campaign. He remained in the New York office of the N. A. A. C. P. until last July when he returned to private law practice in Washington.

Maryland Case Won

The opening gun in the drive had been fired by Thurgood Marshall, Baltimore attorney, acting for the N. A. A. C. P. in a suit against the University of Maryland to compel the admission of Donald Gaines Murray, a colored college graduate, to the law school of the university.

Mr. Marshall won his case in the lower court in Baltimore, but the university appealed to the Maryland Court of Appeals. There Mr. Marshall won again and the university admitted Murray to the law classes. He was graduated and given his diploma last June.

Mr. Houston then began action in Tennessee and Missouri, winning a smashing victory in the Missouri case in the highest court, after having lost (as was expected) in the lower court in Missouri and in the Missouri Supreme Court.

The very first attempt of the N. A. A. C. P. in cases of this nature occurred in 1933 when William H. Hastie (now U. S. judge in the Virgin Islands), appeared for the Association in North Carolina seeking to have the courts there open up the University of North Carolina law school to Thomas R. Hocutt. Hocutt was disqualified because his scholastic record was not deemed good enough for entrance to the law school.

Chattanooga, Tenn. Daily Times
December 14, 1938

NEGRO SCHOOLING PUT UP TO SOUTH

Education Leaders Comment on Ruling Giving Equal Privilege to Races

ATLANTA, Dec. 13 (AP).—A suggestion that states provide scholarships for Negro students was offered today by a Negro educator as one solution of the problem raised in the south by the supreme court ruling equality of educational privileges must be accorded white and Negro students.

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Among those questioned, only John Hugh Reynolds, president of Hendrix college, Conway, Ark., suggested Negroes be admitted to white colleges.

Sees Trouble at Outset

"Separate schools are now maintained in Arkansas for courses in which the Negroes are largely interested," Reynolds said. "If any Negroes wished to study law or medicine or such—and there would be few desiring this—they should be admitted to the regular classes at the university. There probaly would be trouble at first—some hot-headed southern boy might bash a Negro's nose—but in a year or two we would get used to it."

T. H. Harris, Louisiana state superintendent of education, said public sentiment in the south "is decidedly against Negro and white students attending school together. * * * It would be unpleasant for both. It is not sensible."

The high court decision was hailed as "in the interest of justice and the only one which could be recalled consistent with our democratic ideals" by Dr. William Stuart Nelson, president of Dillard university, New Orleans (Negro college).

Halbert Harvill, Tennessee commissioner of education, said creation of an entirely separate school system was not advisable "under the present limited demands for such instruction."

Both Tennessee and Virginia have set up appropriations for assisting Negro students to obtain professional training outside those states.

Negro Not to Appeal

NASHVILLE, Dec. 13 (AP).—Attorneys for William Redmond, 28-year-old Negro whose plea for admission to the University of Tennessee College of Pharmacy at Memphis was denied by a chancery court order, said tonight they would drop a proposed appeal to the supreme court.

Their announcement came after a supreme court decision which held that equal educational privileges must be provided for white and Negro students alike.

Our point has been upheld. We will not perfect an appeal to the supreme court," said the lawyers.

Redmond, a resident of Franklin, Tenn., is a graduate of Tennessee's Agricultural and Industrial state college.

MISSOURI

Henderson[illegible] N. C. Times-News
December 17, 1938

NEWSPAPERS' OPINIONS

THE MISSOURI DECISION

It is possible that the doors of the institutions of higher learning in many of the states of the South may have to be opened to negro students under the recent decision of the United States supreme court which, in effect, ordered the state of Missouri to admit a negro law student.

Invoking the "equality" clause, a negro attorney representing the Association for the Advancement of Colored People, which carried the issue to the highest court, won his case.

That decision is pregnant with trouble for the South. For in the South white students will not attend the same universities and colleges in which colored students are enrolled. The dissenting opinion in the case, presented by Mr. Justice McReynolds, who is from Tennessee, declared that the decision in effect would "damnify both races."

Mr. Justice McReynolds is from the South. He understands the problems of the South not the least of which is the race question. The decision, prepared by Chief Justice Hughes, will not work in the South and for that reason alone it will cause great and serious difficulty. It presents a conflict of law and principle. The principles of the South, among the leading negroes as well as whites, is directly opposed to the intermingling of the races in educational instiutions particularly.

It is conceivable under the decision that the systems of the white institutions of higher learning, may be altered backward rather than to allow negroes to enter white schools. Certainly that is to be preferred. It is possible that such systems, to avoid the terms of the decision, may be lowered to the educational standards of the negro educational systems in the southern states, thus depriving white people with no gain to negroes in order to come wihin the definition of equality. Likewise it is possible that the standards of the negro educational systems in the South may be elevated to that of white people, in order to meet the decision.

But it is a practical certainty that the South now nor in the future will admit whites and negroes into the same schools regardless of the herculean efforts of the Association for the Advancement of Colored People.—Shelby Star.

Columbia, S. C. Record
December 15, 1938

THE GREATER PROBLEM.

The supreme court decision holding hat the state of Missouri if it is to maintain a law school for white students must also maintain one for negro students or admit negroes to the existing law school was one of those inevitable decisions.

The supreme court was certain to decide it as it did decide it. The only question was when the decision would be made, when, in other words, the first case would be carried to the supreme court.

And other states have known it. That is why of the 16 states which deny negroes admission to state universities six of them provide scholarships in other states for negroes who may be qualified for admission to professional schools. These scholarships have served the purpose of providing professional training for negro students who otherwise might have taken the issue to court for the test that Misosuri provides. It was no solution, but it did postpone the inevitable. And in this very Missouri case the state was willing to pay tuition fees for the negro student at an out-of-state university, but this, the court held, was not the same thing as providing a law school for negroes within the state; it did not constitute equality of treatment for students of both races.

And so the other 15 states, which do not provide professional schools for negroes—South Carolina, where in all the years since Reconstruction there has been only one negro applicant for admission to the university, among them—must also face the problem and decide whether to provide professional schools for negroes, or admit them to existing schools or abolish professional training entirely.

But, as serious a problem as this may be, it is after all a minor problem, measured in money, in comparison with the problem of equal educational opportunities for the negroes in grammar and high schools. Few negroes may desire professional education in South Carolina, but all of them, by the terms of the state's compulsory education laws, are required to attend grammar and high schools. Can the state defend before the supreme court its policy of operating the negro schools, except in exceptional cases, as in Columbia, for inadequate terms and with inadequate financing? And if the negro schools are to be financed on a parity with the white schools where will the state get the money to maintain even those standards already achieved in education much less the higher standards hoped for?

Greenwood, S. C. Index-Journal
December 12, 1938

MEANING OF A DECISION

The decision of the Supreme Court of the United States in the case of Lloyd Gaines, a Negro, vs. the University of Missouri, does not mean that there can no longer be a separation of races in all classes of universities and colleges supported by taxation but that where there are no professional schools in the universities and colleges maintained for Negroes that Negro applicants for admission to such professional schools as are maintained in higher institutions of learning for whites must be admitted. That is if they are citizens of such States.

Specifically in States where there are schools of law or medicine, for example, in institutions maintained for whites such schools cannot refuse admission to Negroes if no such schools are maintained for Negroes.

Such States may add such professional schools to the institutions maintained for Negroes and in such cases the inequality of professional training would not be questioned.

Race segregation or separation is grounded on experience and is for the good of both races.

The Supreme Court has decided in the matter of race segregation on railway trains in a recent case that such separation does not mean any infringement of the "equality" clause of the Federal Constitution.

States in which there are no professional schools for Negroes should be able to work out a fair and reasonable provision for Negroes without confusion or disturbance of racial equilibrium.

Alexandria, Va. Gazette
January 2, 1939

RACIAL JUSTICE

Several recent news items about American Negroes are of special interest. There was the decision of the United States Supreme Court upholding the right of colored law students in Missouri to education in schools within that state. Hitherto they have been farmed out to neighboring states.

The number of Negroes in the profession has more than doubled since 1900. The 1930 census found 1,150 Negro lawyers, 4,000 doctors, 5,000 trained nurses, about that number of actors, and a large number of teachers. In the period between 1900 and 1930 illiteracy among Negroes had been cut from 45 to 12 per cent.

It is not only professionally that the race has made progress. The Ohio president of the Future Outlook League reports that many of their number, formerly jobless, have in the last three years obtained work as clerks in stores and other service jobs. He tells working class Negroes: "Go out with the understanding that you are pioneers. Go out with the idea that you are building a foundation for your children and your race."

The new school for Negroes at Williamsburg, Va., is dedicated not only to education of Negroes, but to improved social and economic conditions and living standards.

Any fair-minded person will admit that these things are only a start toward ending injustice, but it is a hopeful and positive start. It faces away from the racial prejudice that darkens so much of the world today.

Richmond, Va. News-Leader
December 13, 1938

THE GAINES CASE.

The case of LLOYD L. GAINES, the Negro student who established in the Supreme Court of the United States his right to entry in the University of Missouri Law School, may become celebrated, but time and tolerance, not written law, must correct inequalities like those at which this action was aimed. The decision, no matter how technically just it may be, contravenes feelings that are too deeply seated in too many parts of this country to be altered suddenly.

Most of the States wherein this opinion eventually may be invoked, including Virginia, will choose to establish separate institutions of higher learning for Negroes. Committed to a dual system in elementary education, they are not likely to abandon separation of the races now that Negro high school graduates in growing numbers desire more schooling than present facilities can supply.

The decision will speed up this process unless litigation and high-pressure propaganda create new obstacles. Virginia already has strengthened the Virginia State College for Negroes at Ettrick. Educators realize that the act of 1936 providing aid to Negro students in colleges outside the State is not adequate.

The principal danger in the situation is that States may be rushed into a weak program. Higher education is expensive. If the South is forced too quickly to conformity with the new law, there may be wastage and disappointment.

The Thirteenth and Fourteenth Amendments, written in passion, have set forth many ideals that could not be realized because they ran afoul of deeply engrafted custom. Human nature can be changed, but only by natural, voluntary adjustment. Let it not be said again, to paraphrase JEREMIAH, that the children's teeth in this day and age are set on edge by the sour grapes eaten by their grandfathers.

Memphis, Tenn., Com'rcial Appeal
December 14, 1938

NEGRO SCHOLARSHIPS IN SOUTH PROPOSED

Move Urged To Solve Problem Of Mixed Student Bodies

ATLANTA, Dec. 13.—(AP)—A suggestion that states provide scholarships for negro students was offered today by a negro educator as one solution of the problem raised in the South by the Supreme Court ruling yesterday that equality of educational privileges must be accorded white and negro students.

The Supreme Court itself disregarded a scholarship plan for outside instruction for negroes provided by Missouri in passing on a case from that state in which a negro sought to enter the University of Missouri Law School.

Memphis Negro Will Drop Appeal

NASHVILLE, Tenn., Dec. 13.—(AP)—Attorneys for William Redmond, 28-year-old negro whose plea for admission to the University of Tennessee College of Pharmacy at Memphis was denied by a Chancery Court order, said tonight they would drop a proposed appeal to the Supreme Court.

Their announcement came after a Supreme Court decision which held that equal educational privileges must be provided for white and negro students alike.

"Our point has been upheld. We will not perfect an appeal to the Supreme Court," said the lawyers.

Redmond, a resident of Franklin, Tenn., is a graduate of Tennessee's Agricultural and Industrial State College.

Gastonia, N. C. Gazette
January 4, 1939

COURT REFUSES REVIEW IN NEGRO STUDENT'S CASE

WASHINGTON, Jan. 4.—(AP)—The Supreme Court refused to reconsider its December 12 decision that a State must give equal educational advantages to white and Negro students.

Reconsideration was sought by the University of Missouri.

Under the decision, Missouri must admit Lloyd L. Gaines, St. Louis Negro, to the University of Missouri Law School or provide equal advantages at a Negro school.

St. Louis Theatre Drops Jim-Crow for Labor Play

ST. LOUIS, Mo., Nov. 3.—Taking a firm stand against "Jim Crow," the St. Louis Branch of the American League for Peace and Democracy announced this week that it would not be a party to segregation of Negroes in performances of "Pins and Needles."

The play, which is composed chiefly of members of the International Ladies Garment Workers, opened at the American Theatre last week.

"Contrary to rumors," said Louise Spencer, league secretary, "the contract we signed with the American Theatre for the play had absolutely no segregation clause in it, and the league would not have signed any contract that had such a clause."

When the theatre management insisted upon a Jim Crow policy, the league held a conference with the representatives of Negro and white progressive groups.

A committee from this conference succeeded in having the management revoke segregation in the first and second balconies—the first time such a concession has been won in any St. Louis theatre.

"We desire to inform the people of St. Louis and vicinity, however, that we are not satisfied with this partial victory," Miss Spencer declared. "We hold that Negroes have as much right to sit on the lower floor as anybody and we will fight to establish this principle."

U. OF MO. FOR 'WHITE ONLY', COURT TOLD

Social Equality Bugaboo Roused

WASHINGTON, D. C., Nov. 17—The University of Missouri "belongs to white people" and any insistence on the contrary connotes a desire on the part of Negroes for social equality with whites.

These were the views expressed with startling frankness by counsel for the University of Missouri in the Lloyd Gaines case, which was argued before the United States Supreme Court here Wednesday, Nov. 9.

They were expressed only after severe questioning on the part of the justices forced the defense counsel to admit that this was the reason for the university's exclusion of Gaines from its law school in September, 1935, on the ground that he is a Negro.

Gaines, who is represented by Charles H. Houston, of the legal staff of the National Association for the Advancement of Colored People, is appealing his case from a lower court ruling. The supreme court of Missouri, denying his petition for a writ of mandamus to compel the university to admit him to its law school, affirmed the decision of a lower court last December. The ruling said that the University of Missouri was for white students only.

Lays Down Challenge

Gaines' counsel, in their argument, laid down a broad challenge to the right of a state to educate its white citizens at home and to exile its Negro citizens beyond the state border to get an education.

They pointed out that the fourteenth amendment to the Constitution required that no state shall deny to any person within its jurisdiction the equal protection of its laws, and that the jurisdiction of the state ended at the state border. They further pointed out that constitutional rights could not be measured in terms of money, and that Gaines had a right to obtain a legal education in Missouri if he was the only Negro citizen in the state who wanted such training in the law.

Hits 'Social Equality' Charge

To the "seeking social equality" charge made by counsel for the university, the N. A. A. C. P. lawyers replied that Negro citizens did not intend to allow any cry of social equality today to scare them out of exercising their constitutional rights.

The full bench of eight justices sat during the argument, except that Mr. Justice McReynolds left the bench after N. A. A. C. P. counsel had finished their argument, and when counsel for the university were half through. All the Justices participated in questions to counsel except Mr. Justice Reed who said nothing during the entire argument. Most of the questions were directed to counsel for the university, who were frequently forced to correct overstatements which they were making trying to show how exceedingly generous Missouri had been in supporting Negro education.

At the close of the argument the court took the case under advisement. A decision is not expected before December. Counsel who argued the case for the N. A. C. P. were Mr. Houston of Washton, and Sidney R. Redmond of St. Louis who is a member of the national board of directors.

Discrimination - 1938

Missouri.

WASHINGTON, Oct. 13—Decks were cleared Monday for action of the United States Supreme Court on the issue covering the barring of Negroes from professional schools in Southern and border States when the court, acting on a writ of certiorari, brought by the National Association for the Advancement of Colored People, agreed to hear argument on the case involving the application of Lloyd Gaines for admission to the law school of the University of Missouri.

The university refused to admit Gaines and the courts of Missouri upheld it.

The Association is represented by Charles H. Houston. The suit will be heard about Nov. 7.

HOUSTON SHOWS COURT GAINES' COLOR WAS BAR

WASHINGTON, Nov. 17—The United States Supreme Court was asked last Wednesday to require the State of Missouri to afford colored persons equal protection of law by admitting colored graduate and professional students to the University or Missouri or providing a substantial equivalent.

The question was brought to the Supreme Court by the National Association for the Advancement of Colored People in the case of Lloyd L. Gaines, a graduate of Lincoln University at Jefferson City, Mo., who was denied admission to the Law School of the University of Missouri.

HOUSTON OPENS

The opening argument was made by Charles H. Houston, special counsel for the N.A.A.C.P. The court listened attentively to him as he analyzed the facts and the law in the case. He was followed by Sidney Redmond, a lawyer, of St. Louis.

Mr. Houston pointed out that Gaines met the entrance requirements and duly made application, but was refused admission solely on the ground of race.

A scholarship to a law school outside the State, offered Gaines, was no equivalent to admission into the Law School of the University of Missouri, Mr. Houston contended.

Mr. Houston traced the legislative history of the authorization of tuition to be paid for colored students at an out-of-State institution for professional study not provided at Lincoln University.

BARRED IN 16 STATES

He said there are about 16 States which deny colored students admission to State universities, and only seven of them have scholarship provisions.

The only two cases decided by State courts involving the question, he declared, were the cases in Maryland, where the court issued a mandatory injunction directing the admission of a colored student in the Law Schol of Maryland University, and the Gaines' case in Missouri, where the court held the colored student need not be admitted.

Mr. Houston told the court there was no statutory provision prohibiting the admission of colored persons to the State University in Missouri. "Perhaps," he declared, 'the State of Missouri thought Negro children would never reach the University of Missouri."

He ridiculed the argument of the State that Gaines' remedy was against the Curators of Lincoln University and not against the Curators of the University of Missouri, and that if he had applied to Lincoln instead of to the State University arrangements would have been made for his legal education.

OPEN TO OTHER RACES

He pointed out that students from out of the state, Hindus, Mexicans, Chinese, and all other people are admitted to the University of Missouri except persons of African descent.

He also ridiculed the question of social equality raised in the brief filed in behalf of the University of Missouri. He may have shocked the eight justices, though they showed no traces of shock, when he told them that evidence of social equality was written into the features and complexions of colored people.

"But when the grandchildren of Negro slaves want to exercise rights as citizens," he declared, 'to talk about social equality is a smoke screen — nothing but a smoke screen to deny Negroes their rights."

Sitting on the bench at the time were three Southerners, Justices James C. McReynolds, Hugo L. Black and Stanley F. Reed, and a Westerner, Justice Pierce Butler, who has been none too liberal in his opinions involving the rights of colored persons.

ENTIRE SOUTH AWAITS RULING IN TEST CASE

Policy of 16 States May be Affected

WASHINGTON, Nov. 17—(AN P)—With Chief Justice Hughes and the seven associate justices listening attentively and asking searching questions, the United States supreme court Wednesday heard arguments by both sides in the famous test case of Lloyd L. Gaines of St. Louis, denied admission to the University of Missouri law school because of his race.

Although no decision is expected for some time, the entire South is keenly awaiting the court's opinion. On it hinges the future policy of 16 southern and border states where admission to state universities is denied Negroes.

Charles H. Houston of Washington and Sidney R. Redmond of St. Louis argued for Gaines without interruption from the eight judges. Fred L. Williams of St. Louis, and William S. Hogsett of Kansas City, white attorneys, spoke for the university and were subjected to searching questions by the court.

14th Amendment Violated

Houston told the bench that the law department of the University of Missouri is the lone state-supported institution of that kind. Since Gaines is a citizen and a taxpayer, his rejection as a student is a denial of his rights to equal protection under the law, as guaranteed by the 14th amendment.

"The records show," he declared, "that Missouri university has admitted Filipinos, Chinese, Hindus, Mexicans—in fact, every race save its own Negro citizens. My client applied for admission under the triple handicap—he belonged to the wrong race, the wrong class, the wrong section."

The university's counsel contended that Missuori is the pioneer and probably the only state where a public university for Negroes has been set up on an equal plane with that for whites. Gaines is a graduate of that school, Lincoln university. He should have applied there for a law course which could have been organized for $10,000, but in the meantime the state would have paid $150 a year tuition at public universities of any of the four adjacent states, Illinois, Iowa, Kansas and Nebraska, which do not bar Negroes.

Not Mandatory

Williams argued that the Missouri supreme court has made it mandatory upon Lincoln to establish a law course if it is requested to do so by only one applicant. Justice Roberts protested that the word "mandatory" could not be applicable because of the existence of an alternative system of out-of-state scholarships.

The chief justice inquired why, if setting up a law course was made compulsory on Lincoln university by the Missouri supreme court, that tribunal "did not order forthwith that Lincoln establish a law school?" He pressed a further question as to whether the Negro university was in a financial position to do so.

Williams replied that on the day Gaines filed his suit, Lincoln university had an available balance of $311,000, of which $138,000 was allotted to salaries for teachers and instructors. Chief Justice Hughes continued by asking whether "this sum had not been budgeted to the end of the year," and whether Lincoln, like most universities, did not have chronic deficits.

Lincoln Deficits

The attorney replied that the money had in fact been allocated and that Lincoln has a deficit of from $12,000 to $15,000 every two years. He added that there has been but a single instance in which the legislature refused to make such supplementary appropriations as Lincoln requested. Since 1921, he declared, Missouri has appropriated $3,500,000 for Lincoln, which has received the entire amount with the exception of a grant of $500,000 which was held unconstitutional by the Missouri supreme court.

Williams said that Lincoln already has the classrooms and buildings for a law course, and that, four blocks away, there would be open to Negro students

the legal library of the Missouri supreme court, "one of the best in the country, comparable even to that of the United States Supreme court."

For the instruction of one or two students, he calculated, the sole expense would be that of engaging two teachers at $5,000 each per year.

"My experience with universities is limited," smiled the Chief Justice, "but my impression is that there is usually some difficulty in adding even $10,000 to a college budget already prepared."

When the university's attorneys declared one of the non-debatable issues to be "the constitutional right of a state to segregate the white and black races in educational institutions," Justice Stone interposed:

"That is the law in some states. But there is also a national point of view, which is opposed to racial discrimination."

Questions "Equality"

"How can you say," demanded the chief justice, "that Negroes have equal educational opportunities in Missouri, when they are compelled to leave their own state to find such equality of professional training in other states?"

The reply was that Negroes, through the system of out-of-state scholarships, have an advantage of about $150 a year over white students.

"Do you mean to suggest," interrupted Justice Black, who hails from Alabama, "that a pecuniary payment would be adequate compensation for loss of civil rights?"

Justice Brandeis inquired whether there is any specific statute forbidding Negroes to matriculate at Missouri university. He was informed that Missouri has no such law, but that the rejection of Negro students has been held by the state supreme court to be a question of public policy. Justice Butler wanted to know the number of Negro lawyers in Missouri. He was told there are 35 in St. Louis, 15 in Kansas City and one in Jefferson City; and that during the last five years three Negroes have been admitted to the Missouri bar. Without exception, he was informed, these attorneys were trained at schools outside Missouri.

Attorney Hogsett declared that in the history of the University of Missouri, Gaines was the first Negro to apply for entrance to its law school; and that he refused to answer, by advice of counsel, whether he would have attended a legal course at Lincoln if a special one had been set up for his individual benefit.

Supreme Court Again Thwarts NLRB Ruling

Reinstatement Denied Seamen In Sit-Down Strikes Aboard Ship

WASHINGTON, Dec. 12.—(AP)—The Supreme Court today thwarted an effort of the National Labor Relations Board to reinstate 145 seamen who were discharged after two ships had been seized in sit-down strikes.

Without explaining its action, the court refused a board request that it review a decision of the Fifth Federal Circuit Court which set aside a board order requiring reinstatement of the men.

The order had been declared against the Peninsular and Occidental Steamship Company.

It was the second setback within as many week for the NLRB. The court ruled formally last Monday that the board had exceeded its authority in ordering cancellation of contracts between AFL unions and the Consolidated Edison Company of New York. As in that case, the American Federation of Labor appeared in opposition to the board in the proceedings ended today.

In the steamship dispute, the NLRB ordered the strikers reinstated with back pay. It contended the men were discharged because they joined and assisted the National Maritime Union, a CIO affiliate.

At the time of the dispute, the International Seamen's Union (AFL) had contracts with the company, which operates the steamers Florida and Cuba between Miami and Port Tampa, Fla., and Havana.

Crew members on the Florida struck at Tampa on June 4, 1937, asserting they wished to change their union affiliation from the AFL to the CIO. Members of the Cuba crew joined the strike. It was settled by intervention of the Labor Department.

Two weeks later members of the crew on the Cuba who still favored AFL affiliation refused to sail with those who had joined the CIO, and a new strike resulted. Crews of both the Florida and the Cuba were discharged and the AFL union, under its contract, supplied new crews.

The Circuit Court decided that the seizing of the ships by sit-down strikers was "at least prima facie evidence that the crews were guilty of mutiny."

It added:

"It would be gross negligence for a vessel to put to sea with that kind of a crew."

The AFL contended the Circuit Court's decision should be allowed to stand. It argued that the Labor Board order "declined to give effect to an existing contract."

Ruling For Negro

In its only formal decision today, the High Court ruled that the University of Missouri should admit Lloyd Gaines, a negro, to its school of law.

(In Lansing, Mich., where he is employed on a WPA-sponsored survey, Gaines declined to say whether he would enter the school, which previously had refused to admit him).

Chief Justice Hughes wrote the majority opinion. Justices McReynolds and Butler dissented.

Missouri provides separate schools for negroes, including Lincoln University at Jefferson City. In addition it provides for payment of tuition at schools in adjoining states for negroes who wish to study subjects provided at schools for whites but not at the negro institution.

The Missouri Supreme Court upheld a ruling that the scholarship provision was adequate.

"We are of the opinion," Hughes said, * * * "that petitioner was entitled to be admitted to the law school of the State University in the absence of other and proper provision for his legal training within the State."

Brushing aside, as beside the point, Missouri's scholarship arrangement and provision for establishment of a law school at Lincoln University when the curators deemed it necessary, the chief justice said the State "was bound to furnish him (Gaines) within its borders facilities for legal education substantially equal to those which the State there afforded for persons of the write race, whether or not negroes sought the same opportunity."

Dissenting, McReynolds said the Missouri Supreme Court "arrived at a tenable conclusion and its judgment should be affirmed."

"That court well understood the grave difficulties of the situation," he said, "and rightly refused to upset the settled legislative policy of the State."

Noting Missouri's view that its best interests demanded separation of whites and negroes, McReynolds continued:

"Under the opinion just announced I presume she may abandon her law school and thereby disadvantage her white citizens without improving petitioner's opportunities for legal instruction; or she may break down the settled practice concerning separate schools, and thereby, as indicated by experience, damnify both races."

In another case involving a negro the Supreme Court agreed to review a decision by the Tenth Circuit Court of Appeals, which refused I. W. Lane, negro of Wagoner County, Okla., a $10,000 judgment against election officials whom he accused of denying him the right to register or vote in the county.

Mooney Plea Denied

The High Court denied a petition for a writ of habeas corpus for Tom Mooney, labor leader serving a life sentence in San Quentin Penitentiary, Calif., for complicity in the 1916 preparedness day bombing at San Francisco. A similar petition was denied last week.

John F. Finerty, Mooney's attorney, commented in a statement to the press:

"The Mooney case ends in the courts as it began — a disgrace to American justice and to American courts."

Governor-elect Culbert Olson of California said recently that he believed Mooney to be innocent, and that he would give prompt consideration to a pardon application.

DISCRIMINATION - 1938

NAACP Victory Greatest Ever Won

(By WILLIAM PICKENS for ANP)

When Chief Justice Evans Hughes and his majority of the justice gave us victory in the Gaines case of Missouri, ordering Missouri to admit Negroes to its university law school, the supreme court of the United States really started us educationally on our way "to town." This is the greatest victory ever won for equal education for Negroes in tax-supported schools of America. Perhaps if we had had the NAACP 50 years ago, the Negro would never have been thrust out of state universities or let out. Negroes and carpetbaggers really founded the University of South Carolina, and Negroes were among teachers as well as students there. Then came James J. Garfield and the ku klux klan and the Negroes were thrust out.

Long ago the courts sustained the principle of segregation as non-violation of the 14th amendment on the theory that separation is not inconsistent with equality. Many southern states rejoiced and went forward with their segregation laws, writing "separate but equal" and in practice forgetting what came after that "but." The most awful inequality was allowed and enforced, in all sorts of segregation, especially in public schools. The colored people just "took it" for 50 years, until the NAACP challenged the discrimination a few years ago, winning the ill-will of even many Negro educators, notably in North Carolina, when it tried to get Hocutt into the university for a course of study not provided for in the Negro state schools.

CONTINUOUS FIGHTING

Next we took up a case in Missouri, where a colored young man wanted to study law, and all he could get from Missouri was the promise of a few dollars to go outside the state, to some more civilized place, and study. This we challenged as a violation of the essence of equality, contending that the state should provide within the state the same educational facilities for all its citizens, and demanding that Gaines be admitted to the university law school, since the state would not build a great law school for one Negro to attend. The courts of Missouri turned us down, and now we can guess that Mississippi and Louisiana are cursing Missouri for turning us down, for that gave us a chance to appeal to federal courts, and finally the supreme court of the land—and a decision of the supreme court affects not only Missouri practice but the practice in every state and territory under the flag.

MARYLAND GAVE IN

Maryland had used better sense, and had given us the case and admitted Murray without forcing us into federal courts.

Now, with Butler and McReynolds dissenting (as we expected), the court decides in effect:

1. That Negroes must be admitted to the one state school unless an EQUAL separate school is provided. Think of it: those southern states that put law, medicine, dentistry and aviation into the "white" universities, must now do one of three things:

(a) Admit Negroes to those courses in the state universities;

(b) Put the same courses in "our" colored state schools; or

(c) Take the courses out of the "white" schools.

GREAT VICTORY ACHIEVED

So there!! That's victory that is victory.

What else does it mean? That universities in the border states and northern states which have been squeezing the Negro student toward the exit, will now reverse their tactics. No northern state with and ounce of sense wants the impossible burden of southern states: an effort to maintain two adequate and competent school systems.

This one victory will be worth a thousand times all the money that Negroes have put into the association in 29 years; it means that the Negro can sue for his share of the public school funds,—and in some states he has been missing his full share by a million dollars or more.

And in the name of Jehovah, it puts the burden on those Negroes who want to fight the NAACP—making them look like the veriest fools.

Impoverished South Worried by Decision on Missouri Case

CHICAGO, Ill.—(By Frank M. Davis for ANP)—Leading educators and officials of those states making separate schools mandatory were casting about this week for ways and means of shifting their entire educational plans following the U. S. supreme court decision last Monday in the case of Lloyd Gaines of St. Louis against the University of Missouri making it mandatory for a state to provide instruction for Negro students within its borders.

As a result, money is wasted according to Northern standards for where a building and teaching staff in the wealthier North would accommodate students of both races, two buildings must be used in the poorer South thus calling for double expenditures for upkeep, etc. While it is true that comparatively little money is spent on Negro education in rural areas, the overlapping expense runs into big money in the larger urban centers.

Sensible Solution

The sensible solution would be the admission of Negroes into the South's state supported "white" colleges and universities. In fact, President John Hugh Reynolds, white, of Henrix college in Conway, Ark., last week suggested that very thing.

"There probably would be trouble at first—some hot headed Southern boy might bash a Negroe's nose—but in a year or two we would get used to it," he said.

Must Satisfy One Student

Since there is no disposition to admit colored students to state universities, the supreme court decision simply means that if one Negro in any southern state wants to take medicine, then that state is obligated to establish an entire school of medicine, at its Negro college. The same goes for any other course offered at the state university. This will naturally be expensive, but the South has only itself to blame for upholding the policy of race separation.

A Far-reaching Decision

.... THE DECISION by the United States Supreme Court, as read by Chief Justice Charles Evans Hughes, in the case of Lloyd Gaines versus the University of Missouri—the principal parts of which appear elsewhere in this issue—is one of the most important decisions affecting Negro rights that has come from the land's highest tribunal for some time.

Gaines, a Negro student and resident of the state of Missouri, sought to enter the University of Missouri's Law School but was denied this right on account of his race. The Supreme Court of Missouri in ruling on the case denied admission to Gaines, with the result that the case was carried to the United States Supreme Court by attorneys of the NAACP.

An important angle in the case was raised over the fact that the State of Missouri in denying admission to Gaines offered to pay his tution in the Law School of an adjoining state, and behind this offer it was sought to hide on the ground that Gaines had NOT been denied an opportunity for education.

Chief Justice Hughes in his twenty-five hundred-word ruling made it clear that the state of Missouri cannot legally exclude Negroes from attendance at the University unless provisions are made for them within the state for educational opportunity equal to that for whites.

Making the decision on this point specifically clear, Justice Hughes said:

Commendable as is that action, the fact remains that instruction for law is not now afforded to Negroes by the state of Missouri, and that the law in Missouri excludes Negroes from the advantages of the law school it has established at Missouri university . . . It is manifest that this discrimination, if not relieved by the provisions we shall presently discuss would constitute abridgement of the Negro's constitutional rights . . . The basic consideration is not as to what sort of opportunities other states provide, or whether they are as good as those in Missouri, but as to what opportunities Missouri itself furnishes to white students and denies to Negroes solely upon the ground of color.

Thus again by the provisions of the Federal Constitution's Fourteenth Amendment Negro rights have been safeguarded, and the NAACP, through whose legal talent the argument for Negro rights was made, can add yet another feather in its cap!

MISSOURI UNIVERSITY GRADUATE LAUDS GAINES COURT DECISION

NEW YORK, Dec. 22 — At least one graduate of the University of Missouri is happy over the Supreme Court decision ordering the state university to open its doors to Negro citizens for professional training.

The graduate is George Hamilton Combs, Jr., white liberal lawyer and a news commentator who broadcasts every eevning over radio station WHN here.

In his broadcast, December 12, Combs termed the decision one of the "milestones witnessing the progress of the Negro race."

"Your reporter," he added, "has only this to say . . . that as an alumnus of the University of Missouri and of that law school, this is one decision of the Supreme Court which he heartily applauds . . . it is democracy at work!"

Decision Worries The South

Davis Analyzes Reaction Of Dixie Educators

By FRANK MARSHALL DAVIS

CHICAGO — Leading educators and officials of those states making separate schools mandatory are casting about for ways and means of shifting their entire educational plans following the U. S. supreme court decision in the case of Lloyd Gaines of St. Louis, against the University of Missouri making it mandatory for a state to provide graduate instruction for Negro students within its borders.

This decision is expected to have a more far reaching effect than the supreme court decision in the Scottsboro case making it illegal for Negroes to be barred from trial and grand jury panels on the basis of color or race.

The South's chief objection to changing this discriminatory custom was besed mainly on the issue of race prejudice; readjusting present educational policies will be felt in the pocketbook where the effect will be more concrete.

SOUTH ALREADY POOR

The South, called the nation's No. 1 economic problem by President Roosevelt, is recognized as financially the poorest section of the nation. Dixie lacks tax income making possible per capita expenditures for education comparable with that of Northern states.

Since the segregated education system exists, it means that what money is available must be spent to provide some sort of facilities for both races.

As a result, money is "wasted" according to Northern standards for where a building and teaching staff in the wealthier North would accommodate students of both races, two buildings must be used in the poorer South thus calling for double expenditures for upkeep, etc. While it is true that comparatively little money is spent on Negro education in rural areas, this overlapping expense runs into big money in the larger urban centers.

SENSIBLE SOLUTION

The sensible solution would be the admission of Negroes into the South's state supported "white" colleges and universities.

It is a matter of record that a suit a year or two ago similar to that filed by Gaines in Missouri resulted in the admission of a Negro to the University of Maryland law school which he attended and finished without untoward incident. This fall a Negro attended classes at the University of Texas for some time and encountered little trouble with his white fellow students.

It is no longer a novelty for colored leaders to address student bodies in white southern colleges or for students to engage in interracial seminars with Negro students. Last year at an [illegible] on Southern education held at the University of North Carolina, certain of the South's most distinguished educators advocated the throwing open of graduate schools in white universities to colored students.

It is believed that when the time is considered ripe to break current traditions and open universities to Negroes, the first institution to do so will be North Carolina.

WON'T HAPPEN SOON

However, such a drastic change is not likely to occur for some years. Dixie states have laws prohibiting educating both races together. They would have to be revised—and probably will after Southern taxpayers see the folly of wasting money supporting two universities purely because of race prejudice when one might do. And each Southern state will have to make a serious attempt at establishing a genuine Negro university or admitting colored students to white institutions if the supreme court mandate is to be obeyed.

Many states thought they had solved the problem when they established scholarship funds for education of Negroes outside the state. Maryland did it after a colored student got into the law school; Tennessee followed suit after William Redmond sued unsuccessfully to enter the state university; Kentucky has established a similar policy; Virginia did so in 1936, and both Missouri and North Carolina, among others, have had scholarship funds for many years. But most of the states have made no attempt to provide for Negro graduate training.

Unless colored students in Mississippi, Georgia, Alabama, Florida and seveal sister states have the funds to personally pay for such instruction in private schools or Northern state universities they are out of luck.

MUST SATISFY ONE STUDENT

Since there is no disposition to admit colored students to state universities, the supreme court decision simply means that if one Negro in any southern state wants to take medicine, then the state is obligated to establish an entire school of medicine at its Negro college.

The same goes for any other course offered at the state university. This will naturally be expensive, but the South has only itself to blame for upholding the policy of race separation.

In one way this should help the Negroes, for it will therefore be convenient for a larger number to take graduate study and benefit accordingly while at the same time make more jobs for instructors and educators. It will also be a handicap to a smaller monority, for those planning to use state scholarships for study in the well equipped institutions of the North will no longer have this financial help.

If the future is judged by the past, it is unlikely that a school of medicine, law, dentistry, engineering, etc., put in by a Southern state at a Negro college will measure up to the standards of similar schools at the University of Illinois, Kansas, Pennsylvania, etc., where some of the students might have gone under the old scholarship system.

Just what effort Southern states will make to follow out the ruling as set down by the supreme court will bear watching and should at least be interesting. Some might even go to the extreme of ignoring the mandate entirely, thus forcing some unknown federal action, or they might take out courses in state universities to reduce them to the level of colored colleges. One never knows about the unpredictable south on the race issue.

Supreme Court Decision

Monday's Supreme Court decision, read by Mr. Chief Justice Charles E. Hughes, was a history making act because where a law student had attempted to matriculate in the University of Missouri Law School and was rejected, the court held that equal rights must be given to all citizens, and that where no other help was given, the student of law should be given a chance in the state's law schools. Such a decision will of necessity change the rule in about all the southern states and encourage the student of law as he is a necessity to the state. This to our lay mind is a great, long step forward in this land of ours. There is hoping that no friction will rise and that the Negro student of law will behave well

Mo. Graduate Lauds Gaines Case Ruling

NEW YORK—At least one graduate of the University of Missouri is happy over the supreme court decision ordering the state university to open its doors to Negro citizens for professional training.

The graduate is George Hamilton Combs, Jr., white liberal lawyer and radio news commentator who broadcasts every evening over radio station WHN here.

In his broadcast, December 12, Combs termed the decision one of the "milestones witnessing the progress of the Negro race."

"Your reporter," he added, "has only this to say—that as an alumnis of the University of Missouri and of that law school, this is one decision of the Supreme Court which he heartily applauds—it is democracy at work!"

Kannapolis, N. C., Independent
December 22, 1938

SHEAR COMMENT

NEGRO HIGHER EDUCATION

New York Times.

It is the finding of the United States supreme court that in the field of professional education there can be no Missouri compromise. That commonwealth must provide law schools for Negroes at home; it cannot farm them out to other states. Law classes in Lincoln university will probably be the solution.

Nine out of ten negro students in the country attend colleges for their own race. Only one in ten is found in the big universities of the north and west. Against handicaps which need not be described the number of Negroes in the professions more than doubled in the course of a generation. In 1930 they numbered something under 110,000. This was about three per cent of the whole professional population in the country, whereas the negroes were about 10 per cent of the whole American population.

Negro lawyers did not increase very rapidly between 1900 and 1930, despite the notable rise in the economics status of the race The growth was from approximately 700 lawyers to about 1,150. The doctors on the other hand were 4,000 in the last census, which was an increase of more than 100 per cent. There were almost as many Negro doctors as Negro actors. The greatest single gain has been in trained nurses. None was registered in the 1900 census. Thirty years later there were approximately 5,000. In absolute numbers the leading profession is the same for Negroes as for white people—the school teachers, who constituted more than half of all negro professional workers.

While on this subject it may be interesting to note that in 1900 the rate of negro illiteracy was 45 per cent and in 1930 it was 12 per cent. For this section of America's underprivileged classes it is obvious that a good deal was being accomplished before 1930.

Bristol, Va., Herald Courier
December 16, 1938

New Problem For States.

The Supreme Court has ruled that a State must give equality in educational privileges to white and Negro law students. The court gave this opinion in holding that the University of Missouri Law School must admit Lloyd Gaines, St. Louis Negro, as a student. And of course if a State must provide equal educational privileges to white and colored students in law schools, it must do so in medical schools and other professional schools.

This decision creates a problem for many States, particularly Southern States, where race segregation is the order. And the States can not solve the problem by appropriating funds to pay the tuition of Negro students in higher institutions of learning in States where the races are not segregated in the schools. The Supreme Court has held that such appropriations do not remove discrimination against Negroes.

This means that Virginia and Tennessee, for instance, must either admit Negro students to their law schools or must provide law schools for them. They must provide as good schools for colored students as for white students, as is the case now with respect to public schools. No doubt Southern States will move to establish separate schools or colleges of the required graduate and professional instruction for Negroes, costly as that will be.

In the meantime, any Negro student who applies for admission to a State Law School, maintained now for whites only, must be admitted. It is to be hoped no such applications will be made for the present. Negro leaders can not doubt that for members of their race to begin demanding admission to State professional schools in the South would seriously disturb the friendly racial relations which leaders of both races have built up by years of patient and intelligent effort.

Hendersonville, N. C., Times-News
December 15, 1938

NEGROES IN SOUTHERN COLLEGES?

The decision of the United States supreme court that the University of Missouri must admit a ngero to its law school in the absence of a state-supported school for negroes within the state's borders has the effect of a command to the University of South Carolina to admit negroes to its professional departments. A negro has applied for admission to its law school.

The states of the South may adopt one of several courses in respect of this issue.

They may admit negroes to their white institutions, giving up the fight for racial separation.

They may establish separate professional schools for negroes.

They may withdraw state aid to professional schools. That would be to abolish schools of law, pharmacy, teaching, medicine, engineering. (Journalism as taught in the Southern universities is an undergraduate study and may scarcely be called professional.)

The state universities with the tacit consent of the public may pretend compliance with the supreme court's decision and evade and nullify it by subterfuges and by resort to ways that would make the lives of negroes unendurable within the institutions. This would not be without precedent, and for a long time it might relieve the situation from the white man's point of view. It is not a pleasant or decent thing to think of, but it would be the natural result of the devious, uncertain, unfrank and dishonest policy of the United States toward its negro question the last hundred years. Continually hypocrisy has forced the South upon occasion to be ruffian or rascal.

Were the law school alone involved, the problem could be easily disposed of in South Carolina. No state-supported law school is needed or is desirable. The South Carolina law school has long been more a hatchery of politicians than lawyers, and the value of it to the commonwealth is matter of grave doubt, to put the case in polite terms.

Indeed, that the state should support professional schools or "higher education" is not to be taken for granted. The pioneer days when their support was expedient have departed. Privately supported and therefore relatively independent institutions have multiplied. Wofford would not be compelled by the court's decision to admit negroes nor would Oglethorpe, Belmont, Sewanee, Furman or Duke. The new modes of travel have placed these institutions closer to South Carolina than Greenville was to Columbia a quarter century ago.

In general the court's decision will increase the interest of southern people in their privately supported colleges, among which are their church colleges. The movement by governments, federal and state, to break down racial barriers cannot, must not, escape observation. The Republican and Democratic parties are appealing to the negro voters and are endeavoring to force the ballot upon the southern negroes. To this effort in national politics signs of willingness to capitulate are unmistakable, though not yet plainly visible, in some southern state institutions. Virtually all of them are mendicants for federal appropriations, and if their directors are not entirely stupid they must know that they cannot eat the bread without singing the song.

The supreme court's decision menaces southern state supported institutions of every kind—unless the southern white people are ready to surrender the practice of race separation. The masses do not know it, but a few of their political leaders would deliver them into the hand of the negroes rather than give up their miserable little jobs.—Charleston News and Courier.

Birmingham, Ala., Post
December 13, 1938

LATE NEWS FLASHES

NLRB Rebuffed; Negro Wins Ruling

By United Press.

WASHINGTON, Dec. 12.—The National Labor Relations Board today was rebuffed by the Supreme Court for the second time within two weeks.

The court declined to consider a Labor Board appeal from a Fifth Circuit Court of Appeals decision setting aside a board order handed down in a maritime labor controversy. The board had ordered reinstatement of members of the National Maritime Union, a Congress of Industrial Organizations affiliate, who were replaced by members of the International Seamen's Union, A. F. of L., with which the line had a contract.

In another decision Chief Justice Hughes, in an opinion which brought dissent by Justices McReynolds and Butler, ruled that Missouri University must admit a Negro student to its law school until law school facilities are provided at Lincoln University, the state's higher education institution for Negroes.

The Negro, Lloyd L. Gaines, contended that refusal to admit him to the law school violated the equal protection clause of the 14th Amendment, since there was no opportunity for Negroes to study law in the state.

The Supreme Court also:

Agreed to hear the petition of I. W. Lane, Negro, challenging constitutionality of Oklahoma's 1916 registration law on grounds it is designed to bar Negroes from voting in violation of the Federal Constitution.

Reiterated its refusal to review the fight of Thomas J. Mooney to win freedom from San Quentin Prison.

Columbia, S. C., State
December 14, 1938

THE WORST POSSIBLE COURSE.

"Admit that Negro to the University," said a young man on the street, "and see what happens to him! The students can handle this problem even if the state government cannot."

That, in the opinion of this newspaper, would be the worst possible approach to the problem South Carolina now faces as a result of the Supreme Court's decision that Negroes must be given equal educational privileges. Physical violence would solve nothing. On the contrary it would create problems more acute and more threatening to the South than any it now faces. No, there should be no violence. In its place, the South must manifest calmness, wisdom, justice and tolerance. The South can gain nothing by arousing the hot ill will of the public outside of the South.

Raleigh, N. C., News & Observer
December 20, 1938

Spirit of the Press

NEGRO HIGHER EDUCATION.

New York Times.

It is the finding of the United States Supreme Court that in the field of professional education there can be no Missouri compromise. That Commonwealth must provide law schools for Negroes at home; it cannot farm them out to other States. Law classes in Lincoln University will probably be the solution.

Nine out of ten Negro students in the country attend colleges for their own race. Only one in ten is found in the big universities of the North and West. Against handicaps which need not be described the number of Negroes in the professions more than doubled in the course of a generation. In 1930 they numbered something under 110,000. This was about 3 per cent of the whole professional population in the country, whereas the Negroes were about 10 per cent of the whole American population.

Negro lawyers did not increase very rapidly between 1900 and 1930, despite the notable rise in the economic status of the race. The growth was from approximately 700 lawyers to about 1,150. The doctors on the other hand were 4,000 in the last census, which was an increase of more than 100 per cent. There were almost as many Negro doctors as Negro actors. The greatest single gain has been in trained nurses. None was registered in the 1900 census. Thirty years later there were approximately 5,000. In absolute numbers the leading profession is the same for Negroes as for white people—the school teachers, who constituted more than half of all Negro professional workers.

While on this subject it may be interesting to note that in 1900 the rate of Negro illiteracy was 45 per cent and in 1930 it was 12 per cent. For this section of America's underprivileged classes it is obvious that a good deal was being accomplished before 1930.

Kingstree, S. C., Record
September 15, 1938

A Negro has applied for admission to the law school of the state university. It is understood that he is being sponsored by a Negro association from up North. It is also understood that the university will not matriculate this colored applicant.

We might as well face the issue. As a matter of law this man applies as a citizen to matriculate in the only school of law maintained by the state. The state has ordinary colleges and schools for Negroes, but no school of law or medicine. Therefore we have a nice legal point, an opening which the Negroes have seized upon.

Lake City, S. C., News
September 15, 1938

A Negro has applied for admission to the law school of the state university. It is understood that he is being sponsored by a Negro association from up North. It is also understood that the university will not matriculate this colored applicant.

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Greenville, S. C., Piedmont
December 14, 1938

Thinks Negroes Might Attend Some Schools

ATLANTA, Dec. 13.—(AP)—A suggestion that states provide scholarships for negro students was offered today by a negro educator as one solution of the problem raised in the South by the Supreme court ruling equality of educational privileges must be accorded white and negro students.

The Supreme court itself disregarded a scholarship plan for outside instruction for negroes provided by Missouri in passing on a case from that state in which a negro sought to gain entrance into the University of Missouri law school.

Varying views were expressed today by southern educators regarding the best method of meeting the situation.

The negro educator, J. B. Watson, president of Arkansas Agricultural Mechanical and Normal college for negroes at Pine Bluff said he believed the problem could best be solved by state scholarships in institutions that admit negroes to membership.

Among those questioned, only John Hugh Reynolds, president of Hendrix college, Conway, Ark., suggested negroes be admitted to white colleges.

"There probably would be trouble at first—some hot-headed southern boy might bash a negro's nose—but in a year or two we would get used to it," Reynolds said.

GRAHAM SUGGESTION

CHARLOTTE, Dec. 13.—(AP)—The Charlotte Observer said tonight that Dr. Frank P. Graham president of the Greater University of North Carolina, favored establishment of professional schools at A. and T. college, Greensboro, and at the North Carolina college for negroes, Durham.

Chapel Hill, N. C., Weekly
December 16, 1938

Expansion of Negro Institution, Not Change in Admission Rules Here, Will Probably Be Result Of Decision of Supreme Court

Payment of Tuition Fees for a Negro in Another State Does Not Satisfy Constitution

ALL SOUTHERN STATES AFFECTED BY DECISION

The addition of professional and graduate schools to one or more of North Carolina's negro institutions, not any change in the rule that permits only white students to enter the University here, is expected to be the result of the United States Supreme Court's decision in the case of Lloyd Gaines, a negro, against the state of Missouri.

Written by Chief Justice Hughes and handed down Monday, the opinion accompanying the decision declares that Gaines, by the refusal of Missouri to let him take the law course at the state university, was deprived of a right guaranteed to him by the Constitution.

The decision affects all the states where whites and negroes are educated separately. Which means, of course, the Southern states. Some of these states have followed the practice of paying tuition fees, at institutions in states where the races are not segregated, for negroes who demand instruction of a sort not provided for them at home. But the Supreme Court says this is not compliance with the Constitutional requirement that negroes must have civil rights equal to those of whites. Equality in civil rights for the negro, says the Court, means something else than the equality in education that he can obtain by going away to some other state; it means equality of educational opportunity in his own state.

North Carolina's two negro institutions, one or both of which may be expanded, so that the state may meet the requirements of the Constitution as interpreted by the new decision is the North Carolina College for Negroes in Durham, and the A. & T. College in Greensboro.

Only a week or so ago a commission appointed by Governor Hoey to study negro education in North Carolina submitted a report in which it recommended the extension of educational facilities for negroes.

President F. P. Graham of the University declared some time ago, before the commission was appointed, his opinion that the state, to meet its obligation to its negro citizens, should provide for them professional and graduate instruction. And he reiterated this opinion when the Supreme Court's decision came out this week.

The meaning of the decision is plain enough. A state must give its negro citizens an education equal to that which it gives its white citizens, in one of two ways: by admittng them to institutions now open only to whites, or by providing, elsewhere, schools and departments in which negroes may get training of kinds not now available to them.

MISSOURI GRAD HAILS DECISION TO ADMIT RACE

NEW YORK. — At least one graduate of the University of Missouri is happy over the supreme court decision ordering the state university to open its doors to Negro citizens for professional training.

The graduate is George Hamilton Combs, Jr., white liberal lawyer and radio news commentator who broadcasts every evening over radio station WHN here.

In his broadcast, December 12, Combs termed the decision one of the "milestones witnessing the progress of the Negro race."

"Your reporter," he added, "has only this to say—that as an alumnus of the University of Missouri and of that law school, this is one decision of the Supreme Court which he heartily applauds — it is democracy at work!"

ALUMNUS LAUDS U. OF MO. RULING

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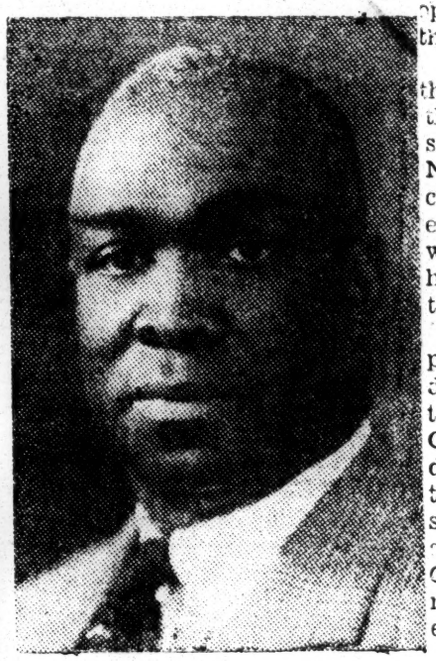
In his broadcast, December 12, Combs termed the decision one of the "milestones witnessing the progress of the Negro race."

DISCRIMINATION - 1 9 3 8
Case of Lloyd Gaines

MISSOURI

THEY SPEAK THEIR OPINIONS

DR. RUFUS CLEMENT
—Atlanta University president, expressed gratification upon learning of the U. S. Supreme Court ruling in the Lloyd Gaines case. "All fair-minded people will agree that the state should not discriminate against any citizen," he said.



JESSE O. THOMAS
—National Urban League executive, in an article elsewhere on this page, says the United States Supreme Court decision favoring Lloyd L. Gaines "has far-reaching significance throughout the jurisdiction of the separate school system."

Decisions Are Not Automatic-Thomas

By JESSE O. THOMAS

The recent decision of the Supreme Court in connection with the lawsuit brought by the legal staff of the National Association for the Advancement of Colored People in the interest of Lloyd L. Gaines entering the University of Missouri has far-reaching significance throughout the jurisdiction of the separate school system.

A great legal mind is accredited with having said some years ago that the best way to secure the repeal of a bad law is to enforce it. In no department of our culture is this more true than in the matter of dual educational systems. The day Negro schools are made equal to white schools, that day a movement will be set in motion to abolish the separate school system.

The movement will be launched by white tax payers. The only reason the average white citizen subscribes to the separate school system is because it is not "equal." It is always possible to maintain a dual set-up as long as those in control are encouraged to feel that the system contemplates giving them superior advantage over somebody else.

If and when the State, County or Municipality provides equal opportunity for Negroes, white tax payers are going to insist that the opportunity be not only equal but the same.

I realize, of course, that more than one decision on the part of the Supreme Court will be necessary for this to become a reality. Negroes are frequently misled by court decisions. They often become enthusiastic and almost hilarious with a feeling that "The thing we have been struggling for hath come to pass."

It will be recalled that the Supreme Court of Georgia ruled residential segregation unconstitutional years before the Supreme Court of the United States rendered a similar decision in connection with the historical Louisville segregation case. In both Georgia and in Kentucky, including the City of Louisville, residential segregation is still a fact and a general practice.

The next step after getting a decision, if not before, is for Negroes to continue to seek the untrammeled use of the ballot so that they may join with their white friends who are in favor of good government and elect persons to office who will enforce decisions. We have got to keep in mind that decisions are not automatic or self-enforced.

Missouri U. Is Silent On Case

COLUMBIA, Mo.—University of Missouri officials were silent this week upon a Supreme Court ruling that Lloyd L. Gaines, St. Louis Negro, should be permitted to enroll in the university's law school, becoming the first Negro to attend the university in its nearly 100 years of history, but there was a tendency elsewhere on the campus to look toward the forthcoming session of the legislature for an answer to the problem which the court decision created.

Inferentially, the Supreme Court decision offered two ways out for admittance to its law school—either abandonment of the law school providing for law training for Negroes at Lincoln university at Jefferson City. Either would provide "equality" in educational privileges for the two races. Abandonment of the law school is apparently beyond the realm of possibility, buit it would be quite possible for the legislature to meet the situation by providing instruction in law for Negroes at Lincoln university.

The state in the past has attempted to meet the situation by financing education in law and other professions for Negroes in near by states—a practice which the Supreme Court ruled is not "equality" of opportunity.

Establishment of a law school in Lincoln University, however, would probably serve as only a stop-gap in the campaign of Negroes for admission to the university here. At the same time Gaines was applying for admission to the law school to start the present litigation, another Negro sought to enter the school of journalism, another field in which professional education is not offered in Lincoln University.

Presumably Negro organizations which have backed Gaines' suit will shift their attacks to other professional divisions of the university until Negroes are admitted to all of them or like educational facilities for Negroes are offered at other state institutions.

U. S. Supreme Court Hears Arguments In University of Missouri Law School Case

Justice Black Asks Pointed Questions Regarding Loss of Civil Rights

Out-of-State Scholarships Rapped

WASHINGTON, D. C.—(ANP)—With Chief Justice Charles Evans Hughes and the associate justices listening attentively and asking searching questions, the United States supreme court Wednesday heard arguments by both sides in the famous test case of Lloyd L. Gaines of St. Louis, denied admission to the University of Missouri law school because of his race.

Although no decision is expected for some time, the entire South is keenly awaiting the court's opinion. On it hinges the future policy of 16 Southern and border states where admission to state universities is denied Negroes.

Charles H. Houston of Washington and Sidney R. Redmond of St. Louis, argued for Gaines without interruption from the eight justices. Fred L. Williams of St. Louis and William S. Hogsett of Kansas City, white attorneys, spoke for the university and were subjected to searching questions by the court.

14th Amendment Violated

Houston told the bench that the law department of the University of Missouri is the only state-supported institution of that kind. Since Gaines is a citizen and a taxpayer, his rejection as a student is a denial of his rights to

equal protection under the law, as guaranteed by the 14th amendment.

"The records show," he declared, "that Missouri university has admitted Filipinos, Chinese, Hindus, Mexicans—in fact, every race save its own Negro citizens. My client applied for admission under the triple handicap—he belonged to the wrong race, the wrong class, the wrong section."

The university's counsel contended that Missouri is the pioneer and probably the only state where a public university for Negroes has been set up on an equal plane with that for whites. Gaines is a graduate of that school, Lincoln university. He should have applied there for a law course which could have been organized for $10,000, but in the meantime the state would have paid $150 a year tuition at public universities of any of four adjacent states, Illinois, Iowa, Kansas and Nebraska, which do not bar Negroes.

Not Mandatory

Williams argued that the Missouri supreme court has made it mandatory upon Lincoln to establish a law course if it is requested to do so by only one applicant. Justice Roberts protested that the word "mandatory" could not be applicable because of the existence of an alternative system of out-of-state scholarships.

The chief justice inquired why if setting up a law course was made compulsory on Lincoln university by the Missouri supreme court, that tribunal "did not order forthwith that Lincoln establish a law school?" He pressed a further question as to whether the Negro university was in a financial position to do so.

Williams replied that on the day Gaines filed his suit, Lincoln university had an available balance of $311,000, of which $138,000 was allotted to salaries for teachers and instructors. Chief Justice Hughes continued by asking whether "this sum had not been budgeted to the end of the year," and whether Lincoln, like most universities, did not have chronic deficits.

Lincoln Deficits

The attorney replied that the money had in fact been allocated and that Lincoln has a deficit of from $12,000 to $15,000 every two years. He added that there has been but a single instance in which the legislature refused to make such supplementary appropriations as Lincoln requested. Since 1921, he declared, Missouri has appropriated $3,500,000 for Lincoln, which has received the entire amount with the exception of a grant of $500,000 which was held unconstitutional by the Missouri supreme court.

Williams said that Lincoln already has the classrooms and buildings for a law course, and that, four blocks away, there would be open to Negro students the legal library of the Missouri supreme court, "one of the best in the country, comparable even to that of the United States supreme court.

For the instruction of one or two students, he calculated, the sole expense would be that of engaging two teachers at $5,000 each per year.

"My experience with universities is limited," smiled Chief Justice, "but my impression is that there is usually some difficulty in adding even $10,000 to a college budget already prepared."

When the university's attorneys declared one of the none-debatable issues to be "the constitutional right of a state to segregate the white and black races in educational institutions," Justice Stone interposed:

"That is the law in some states. But there is also a national point of view, which is opposed to racial discrimination."

Questions "Equality"

"How can you say," demanded the chief justice, "that Negroes have equal educational opportunities in Missouri, when they are compelled to leave their own state to find such equality of professional training in other states?"

The reply was that Negroes, through the system of out-of-state scholarships, have an advantage of about $150 a year over white students.

"Do you mean to suggest," interrupted Justice Black, who hails from Alabama, "that a pecuniary payment would be adequate compensation for loss of civil rights?"

Question of Public Policy

Justice Brandeis inquired whether there is an specific statute forbidding Negroes to matriculate at Missouri university. He was informed that Missouri has no such law, but that the rejection of Negro students has been held by the state supreme court to be a question of public policy. Justice Butler wanted to know the number of Negro lawyers in Missouri. He was told there are 35 in St. Louis, 15 in Kansas City and one in Jefferson City; and that during the last five years three Negroes have been admitted to the Missouri bar. Without exception, he was informed, these attorneys were trained at schools outside Missouri.

Attorney Hogsett declared that in the history of the University of Missouri, Gaines was the first Negro to apply for entrance to its law school; and that he refused to answer, by advice of counsel, whether he would have attended a legal course at Lincoln if a special one had been set up for his individual benefit.

The Supreme Court Strikes For Equality

THE BATTLE for equal educational opportunities for American colored citizens was strengthened this week when the United States Supreme Court ruled that Lloyd Gaines must either by admitted to the Law School of the University of Missouri or a school of law must be established within the State to which he can be admitted.

Since it would be expensive stupidity to create an entire school of law to teach Gaines, perhaps the officials would rather permit Gaines to attend the regular law school of the University of Missouri.

Racial inequalities in education exist to an alarming extent in America. While the most flagrant discriminations obtain in the South, the North is not blameless. Even in cases where the States are supposed to provide separate but equal educational opportunities for white and colored students, the equality never exists as a fact. The State universities for white students are always superior to those maintained for colored students. In many States the "high schools" for "colored only" are a mockery and a disgrace.

The NAACP has recently released a booklet on "Racial Inequalities in Education." It presents facts and figures which prove that colored children are robbed to educate white ones. It is a disgrace to American democracy. One illustration shows a beautiful and modern brick structure in Macon County, Georgia, for white children. Underneath is a picture of a broken down shack, held up with small poles stuck in the ground and a criss-cross of old boards to hold them in place. That is the school for colored children in the same county.

The N.A.A.C.P. deserves commendation and support for its drive to rectify the crowning disgrace of American racial discrimination—inequality in education.

While the ruling of the Supreme Court will not settle the entire question, it is a big step forward. There are sixteen States which bar colored students from their professional schools. This decision should open those doors. If Missouri must provide a school for the legal training of its colored citizens who desire it and meet the other qualifications, so must South Carolina, Georgia and Mississippi.

The whole question of education as it pertains to colored students needs to be thoroughly investigated. The Supreme Court has made an important ruling, but its effectiveness depends upon the eternal vigilance of colored people.

DISCRIMINATION - 1 9 3 8 MISSOURI

Case of Lloyd Gaines

U.S. SUPREME COURT:

★ ★ ★ ★ ★ ★

Missouri University Color Bar Decision Backs Full Education For Negroes In United States

Lower Courts Overruled In Negro's Favor

Missouri U. Must Admit Youth Or Establish Law School

N.A.A.C.P. VICTORY

"Plain Discrimination" Is Ruling Of Chief Justice Hughes

(Read Editorial: The Supreme Court Strikes For Equality)

WASHINGTON, D. C. — The National Association for the Advancement of Colored People won another important victory in the Supreme Court of the United States, Monday when, in an opinion delivered by Chief Justice Hughes, the Court ruled, 6 to 2, that the University of Missouri must either admit Lloyd Gaines, a Negro, to its law school classes, or a school of law must be established at Lincoln (Mo.) University, to which he can be admitted.

Gaines, a Lincoln (Mo.) University graduate, had been denied admission to the University of Missouri, and the university authorities had been upheld by the Missouri courts, which refused a writ of mandamus sought by Gaines to compel his admission.

From this decision, Gaines' counsel, headed by Charles H. Houston of the NAACP legal staff, appealed to the Supreme Court.

The Supreme Court's decision said in effect that Gaines was entitled under the 14th Amendment to the United States Constitution to a legal education equivalent to that provided for white students; and that he had not received "equal protection" of the laws by the offer of the State of Missouri to pay his tuition in an adjacent State where there was no discrimination against Negroes.

Plain Discrimination

Said the Chief Justice: 'By the operation of the laws of Missouri a privilege had been created for white law students which is denied to Negroes by reason of their race. The white resident is afforded legal education within the State; the Negro resident having the same qualifications is refused it there and must go outside the State to obtain it. That is a denial of the equality of legal right to the enjoyment of privilege which the State has set up, and the provision for the payment of tuition fees in another State does not remove the discrimination."

Approves Segregation

Associate Justice McReynolds, who wrote the dissenting opinion, in which Mr. Justice Butler concurred, said:

"For a long time Missouri has acted upon the view that the best interest of her people demands separation of whites and Negroes in schools. Under the opinion just announced, I presume she may abandon her law school and thereby disadvantage her white citizens without improving petitioner's opportunities for legal instruction; or she may break down the settled practice concerning separate schools and thereby, as indicated by experienc damnify both races."

Better Facilities Seen

The decision, Houston said, "completely knocked out as a permanent policy "the practice of paying Negro students' tuition in other States in place of giving them schooling in their home States.

Seven States now provided such grants: Missouri, Virginia, West Virginia, Kentucky, Tennessee, Oklahoma and Maryland. Maryland also provids that Negroes may attend its State University if the subjects they want are not taught in Negro schools.

Houston was of the opinion that the decision would probably increase higher education facilities for Negroes in 16 States which now bar colored students from State professional schools.

The following States exclude Negroes from their universities and make no other provision for graduate training: Alabama, Arkansas, Delaware, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina and Texas.

Will Seek Admission

Gaines, who is now employed on a WPA survey project for the Michigan Civil Service Department at Lansing, will consult counsel as to seeking his legal training in Missouri.

HE PUSHED FIGHT

LLOYD GAINES

The U. S. Supreme Court upheld his right to be admitted to the Missouri University Law School.

S. C. Rules In Favor Of Mo. Negro

Law School Is Told to Admit Race Student

WASHINGTON, (SNS)— The United States Supreme Court Monday ruled the University of Missouri law school should admit as a student Lloyd L. Gaines, who had been refused admittance because he was a Negro.

In the only formal decision rendered Monday, the high court ruled the University should admit Gaines to Ann Arbor, Mich. where he is employed on a WPA-

sponsored survey, Gaines declined to say whether he would enter the law institution.

In the majority opinion written by Chief Justice Hughes, the court brushed aside as the point Missouri's scholarship arrangement and said the state "was bound to furnish him (Gaines) within its borders facilities for legal education substantially equal to those which the state there afforded for persons of the white race whether or not Negroes sought the same opportunity."

HAS OWN PLAN

Missouri provides separate schools for Negroes and in addition it provides payment of tuition at schools in adjacent states for Negroes who wish to study subjects not provided at the Negro institutions.

Justices McReynolds and Butler dissented. McReynolds said in the minority opinion that "Under the opinion just announced, I presume she may abandon her law school and thereby disadvantage her white citizens without improving petitioner's opportunities for legal instruction; or she may break down the settled practice concerning separate schools, and thereby, as indicated by experience, damnify both races."

Immediately following the "equality" ruling by the Supreme Court, doubt was expressed all over the nation that the practice by southern states in giving scholarships to Negro students to study elsewhere was legal.

Scholarship provisions for such study have been made in Missouri, Maryland, Tennessee, Oklahoma, Naoman Williams Maise.

Also taking part in the concert will be the Glee Clubs of the universities of Virginia, West Virginia and Kentucky.

Veteran white observers believed the ruling would injure racial relationships, stating that it would be necessary for the states either to develop professional and post-graduate courses at the colleges for Negroes at considerable cost, or admit them to white state schools.

In Atlanta, R. B. Eleazer, of Atlanta, educational director of the Commission on Inter-racial Cooperation, was quoted as saying that "the case is significant in that it dramatizes the neglect of a great many of our states to make any provisions for the graduate education of our Negroes."

History Making Decision In Jim Crow Case Attracts Attention Of The Nation

WASHINGTON, D. C., Dec. 16—(ANP)—The right of a qualified Negro student to enroll at the University of Missouri was upheld here Monday by the U. S. Supreme Court's ruling that the university's law school should admit Lloyd L. Gaines, St. Louis resident, as a student.

Gaines has an A. B. degree from Lincoln university, Jefferson City, Mo., and together with his counsel has waged an insistent fight against the University of Missouri Jim Crow rule ever since he was denied admission there to pursue his work as a law student.

Student Gaines maintained that he was rejected solely because of his color and this constituted a violation of the "equal protection" clause of the Federal Constitution. His petition stated that there were 16 states that exclude Negroes from state universities because of race or color.

Chief Justice Hughes delivered the majority opinion that held Missouri, in compelling Negro law students to attend school outside the state, had violated the "equal rights" provision of the Constitution.

EQUALITY OF RIGHT

Missouri provided that until a law school for Negroes was developed in the state the tuition of Negro law students should be paid at universities in adjacent states.

"The question here," Chief Justice Hughes said, "is not of a duty of the state to supply legal training, or of the quality of the training which it does supply, but of its duty when it provides such training to furnish it to the residents of the state upon the basis of an equality of right.

"By the operation of the laws of Missouri a privilege has been created for white law students which is denied to Negroes by reason of their race.

"The white resident is afforded legal education within the state; the Negro resident having the same qualifications is refused it there and must go outside the state to obtain it.

"That is a denial of the quality of legal right to the enjoyment of the privilege which the state has set up, and the provision for the payment of tuition fees in another state does not remove the discrimination."

McREYNOLDS DISSENTS

Dissenting, McReynolds said the Missouri Supreme Court "arrived at a tenable conclusion and its judgment should be affirmed."

"That court well understood the grave difficulties of the situation," he said, "and rightly refused to upset the settled legislative policy of the state."

Noting Missouri's view that its best interests demanded separation of whites and Negroes, McReynolds continued:

"Under the opinion just announced, I presume she may abandon her law school and thereby disadvantage her white citizens without improving petitioner's opportunities for legal instruction; or she may break down the settled practice concerning separate schools, and thereby, as indicated by experience, damnify both races."

In another case involving a Negro, the Supreme Court agree to review a decision by the Tenth Circuit Court of Appeals, which refused I. W. Lane, Negro of Wagoner County, Ok., a $10,000 judgment against election officials whom he accused of denying him the right to register or vote in the county.

Counsel for the university stated that the Missouri legislature had provided that Lincoln university—until the state developed a law school for Negroes—should pay the tuition of Missouri Negroes wishing to study law at the university of any adjacent state where colored students were welcomed. The Supreme Court ruling was epochal as the way is now paved for gradual breaking down of the color bar at state-supported universities throughout the South. Atty. Charles H. Houston, special counsel for the NAACP, aided in presentation of the Gaines case before the nation's highest tribunal.

2 Leaders Air Their Opinions

South Begins "Meeting The Problem"

(By The Scott Newspaper Syndicate)

The Supreme Court ruling that equal educational privileges must be accorded white and colored students brought varied responses from educators Wednesday as the South began "meeting the problem."

Questioned as to what they thought was the best procedure to secure equality of educational privileges, most of the educators gave general answers, only one of them as interviewed by the Associated Press suggesting that Negroes be admitted to white colleges.

CLEMENT COMMENTS

In Atlanta, Dr. Rufus E. Clement, president of Atlanta University, was quoted as expressing gratification at the Supreme Court ruling and asserting that "all fair-minded people will agree that the State should not discriminate against any citizen—in the matter of extent or type of education offered him at public expense." His complete statement as to the development and problem is forthcoming to this paper.

Dr. C. D. Hubert, acting president of Morehouse College, an affiliate of Atlanta University, said he believed it was a "problem of cultural education for the South"; that the people of the section "must be educated" to the point of tolerance in attending State schools.

DR. WATSON SPEAKS

President W. A. Fountain, Jr., of Morris Brown College, would give no statement when contacted at his home. He said that he would have to study the decision thoroughly before rendering an opinion.

Presidents of other Atlanta colored institutions could not be reached for opinions as to the "best way out."

Dr. J. B. Watson, president of Arkansas Agricultural, Mechanical and Normal College at Pine Bluff, was quoted as saying that he believed the problem could best be solved by State scholarships in institutions that admit Negroes to membership, as had become the practice in several states of the section.

"NOT SENSIBLE"

The Louisiana State Superintendent of Education, T. H. Harris, white, reportedly said that public sentiment in the south "is decidedly against Negro and white students attending school together.... It would be unpleasant for both. It is not sensible."

As to the creation of an entirely separate school system in the State of Tennessee, Halbert Harvill, white, Commissioner of Education in that domain, said it was not advisable "under the present limited demands for such instruction," according to the release.

Reports indicated that Virginia was studying seriously the Supreme Court decision through its governor, James H. Price. An official said the decision might make mandatory widespread revisions in the State's segregated schooling, while a department head suggested as a partial solution the maintenance of a separate medical school for race students as a unit of the State medical college and that the present State college be enlarged to include most post-graduate work. Other comments ranged greatly as to belief.

DISCRIMINATION - 1938
Case of Lloyd Gaines

MISSOURI

Gaines Victor in School Case

U.S. Supreme Court Rules University of Missouri Law School Must Admit Him

WASHINGTON

The U.S. Supreme Court ruled, Monday, that the University of Missouri must admit Lloyd L. Gaines of St. Louis as a student in the Law School pointing out that a State must give "equality" in educational privileges to colored and white law students alike.

"The question here," Chief Justice Charles Evans Hughes said, "is not of a duty of the State to supply legal training, or of the residents of the State upon the basis of an equality of right.

Barred by Race

"By the operation of the laws of Missouri a privilege has been created for white law students which is denied to colored students by reason of their race," the Chief Justice said.

States listed by Gaines as excluding colored students from State universities solely because of race included:

Alabama, Arkansas, Delaware Florida, Georgia, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia and West Virginia.

He added that Kentucky, Missouri, Oklahoma, Tennessee, Virginia, and Maryland provide aid for colored students studying outside the State.

First to Enter

Gaines will be the first colored student to enter the University of Missouri in its ninety-eight years of existence. This is the first time the right of colored people to attend the State university has been challenged in court.

The St. Louisan is a graduate of Lincoln University, Jefferson City, Mo., State school for colored students. The case was pushed by the NAACP.

LLOYD GAINES

Topics of The Times

Negro Higher Education

It is the finding of the United States Supreme Court that in the field of professional education there can be no Missouri compromise. That Commonwealth must provide law schools for Negroes at home; it cannot farm them out to other states. Law classes in Lincoln University will probably be the solution.

Nine out of ten Negro students in the country attend colleges for their own race. Only one in ten is found in the big universities of the North and West. Against handicaps which need not be described the number of Negroes in the professions more than doubled in the course of a generation. In 1930 they numbered something under 110,000. This was about 3 per cent of the whole professional population in the country, whereas the Negroes were about 10 per cent of the whole American population.

Doctors, Music Teachers

Negro lawyers did not increase very rapidly between 1900 and 1930, despite the notable rise in the economic status of the race. The growth was from approximately 700 lawyers to about 1,150. The doctors on the other hand were 4,000 in the last census, which was an increase of more than 100 per cent. There were almost as many Negro doctors as Negro actors. The greatest single gain has been in trained nurses. None was registered in the 1900 census. Thirty years later there were approximately 5,000. In absolute numbers the leading profession is the same for Negroes as for white people—the school teachers, who constituted more than half of all Negro professional workers.

While on this subject it may be interesting to note that in 1900 the rate of Negro illiteracy was 45 per cent and in 1930 it was 12 per cent. For this section of America's underprivileged classes it is obvious that a good deal was being accomplished before 1930.

17 States Affected By Ruling

Missouri Law School Required To Admit Gaines

EQUALITY ORDERED

Graduate Courses Must Be Provided Within the State

Special to Journal and Guide

WASHINGTON, D. C.—In far-reaching decision that presages radical revisions in the educational policies of sixteen Southern states as regards their Negro constituents, the United States Supreme Court ruled, Monday, that Lloyd L. Gaines should be admitted to the University of Missouri Law School and held that the policy of paying a part of tuition of Negro students in graduate schools in other states was inadequate as a substitute for the "equality" guaranteed the Negro citizen by law.

Chief Justice Charles Evans Hughes wrote the majority opinion of the high court favoring Mr. Gaines. Justices McReynolds and Butler dissented.

The Supreme Court reversed the Missouri Supreme Court which had held that the scholarship arrangement was adequate. In Missouri, the state had provided for the establishment of law school at Lincoln University in Jefferson City

MR. HOUSTON

when the curators deemed it necessary but the high court held that "it cannot be said that a mere declaration of purpose, still unfulfilled, is enough."

Missouri's scholarship plan provided for the payment of tuition at schools in adjacent states for Negroes who wish to study subjects provided at schools for whites but not at the Negro institution.

NO COMMENT

Employed on a WPA survey in Lansing, Mich., Mr. Gaines declined to say whether or not he would enter the University of Missouri When he first applied he was denied admission.

His case was fought through the lower courts to the United States Supreme Court by Charles H. Houston, Washington lawyer and legal counsel for the National National Association for the Advancement of Colored People. The NAACP is sponsoring a nation-wide campaign for the equalization of educational opportunity and the Gaines case on Missouri is one of its projects. The same organization is assisting in the teacher's salary equalization fight in Virginia.

In his decision, Chief Justice Hughes said: "We are of the opinion that the petitioner was entitled to be admitted to the Law School of the State University in the absence of other and proper provision for his legal training within the State."

FACILITIES MUST BE EQUAL

Continuing he said that the state "was bound to furnish him (Gaines) within its borders facilities for legal education substantially equal to those which the state afforded for persons of the white race, whether or not Negroes sought the same opportunity." Hughes considered as beside the point, the scholarship arrangement at the University of Missouri and the plan for establishment of the law school at Lincoln University, the state supported Negro college, when the curators deemed necessary.

In commenting on the decision, Charles H. Houston, Gaines' counsel, said the decision affected the entire scope of graduate professional training for Negroes in the Southern States which do not now provide such training within their borders.

He expressed the opinion that Missouri could avoid admitting Gaines to the State Law School by establishing an adequate school of law at Lincoln University prior to the next regular admission date at the University of Missouri.

Mr. Houston said the decision probably would increase higher educational facilities for Negroes in 16 states which now bar them from State professional schools.

Houston said he was certain legal proceedings would be started in other States to bring about provision for establishment of Negro professional schools or for admission of Negroes to established schools.

Houston said the decision "completely knocked out as a permanent policy" the practice of paying Negro students' tuition in other States in place of giving them schooling in their home States.

A statement on the decision was issued from Atlanta, Ga., by R. B. Eleazer, educational director of the Commission on Interracial Cooperation. He said: "The case is significant in that it dramatizes the neglect of a great many of our States to make any provisions for the graduate education of our Negroes.

"The laws of every Southern state specifically provide that the educational facilities for Negroes—while separate—shall be equal. These facilities, at the graduate level, have not only not been equal, they have been non-existent."

"I don't express an opinion on how this should be done but there are two methods of approach. The first is through scholarships, which the court has apparently said are not adequate and the other is through separate institutions."

In his opinion regarding educational rights of Negroes, Chief Justice Hughes said Gains was denied admission to the Missouri Law School solely because he was a Negro.

He added that the State had fully recognized its obligation to provide Negroes advantages or higher education, equal to those afforded to white students, and has sought to fulfill the obligation by establishing separate schools. The Supreme Court has sustained the validity of that method, he added.

"The fact remains," Hughes said, "that instruction in law for Negroes is not now afforded by the State, either at Lincoln University or elsewhere within the State, and that the State excludes Negroes from the advantages of the Law School it has established at the University of Missouri.

"It is manifest that this discrimination, if not relieved by provisions which we shall presently discuss, would constitute a denial of equal protection."

He then pointed out provisions in Missouri law for establishment of a law school for Negroes when deemed necessary, but added that that policy "has not yet ripened into an actual establishment, and it can not be said that mere declaration of purpose, still unfilfulled is enough."

"We do not read the opinion of the Supreme Court as construing the State statute to impose such a 'mandatory duty' as the argument seems to assert."

Among those concurring with the majority opinion was Justice Hugo Black of Alabama, a state where no provision has been made for graduate instruction for Negroes and where Negro students are systematically excluded from participation in the higher education benefits provided for whites.

Dissenting, McReynolds said the Missouri Supreme Court "arrived at a tenable conclusion and its judgment should be affirmed."

"That court well understood the grave difficulties of the situation," he said, "and rightly refused to upset the settled legislative policy of the State.

McReynolds termed the problem 'a difficult and highly practical one" which he said the State made a "fair effort to solve."

"The State has offered to provide the Negro petitioner opportunity for the study of law—if perchance that is the thing really desired—by paying his tuition at some nearby school of good standing," McReynolds said.

"This is far from unmistakable disregard of his rights and in the circumstances is enough to satisfy any reasonable demand for specialized training."

Scholarship arrangements similar to the Missouri plan invalidated by the Supreme Court exist in seven states: Virginia, West Virginia, Kentucky, Tennessee, Oklahoma, Maryland, and Missouri. Maryland also provides that Negroes may attend its state university if the subjects they want are not taught in any Negro schools.

Ten Southern states exclude Negroes from their universities and make no other provision for graduate training: Alabama, Arkansas, Delaware, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Texas.

An annual appropriation of $2,500 for Negroes to obtain professional training outside Tennessee was authorized after a Nashville Negro sought to gain admission to the University of Tennessee's School of Pharmacy. Three Negroes now are being assisted.

A legislative commission studying Negro education in North Carolina recommended recently that the General Assembly appropriate $15,000 to $18,000 annually, to be distributed to Negroes desiring to do graduate work out of the State.

Application of a Negro for admittance to the University of South Carolina's Law School awaits action by a special committee to which it was referred by the board of trustees.

Discrimination - 1938

The Mitchell Bill.

The Mitchell Bill

The bill, intended to prohibit the segregation of interstate passengers on account of race, color or religion, introduced in the House of Representatives last week by Congressman Arthur W. Mitchell of Illinois, is significant.

By its terms, jim crow is forbidden not only on trains, Pullman cars, buses, steamboats and all other public carriers, but also in railroad stations, waiting rooms, lunch rooms and dining cars.

Under the Fourteenth Amendment, citizens of any State can and should ask Federal courts to declare State jim crow laws unconstitutional.

Maryland did this thirty years ago, and today there are no jim-crow cars or waiting rooms in the State for interstate passengers.

The Mitchell bill, if passed by Congress, would make suits in individual States unnecessary. It ought to receive nation-wide support, even if it takes twenty-five years to put it over.

Valdosta, Ga., Daily Times
January 10, 1938

The only negro member of Congress, Arthur W. Mitchell, has introduced a bill into Congress to abolish "Jim Crow" cars and make it unlawful to segregate negroes in hotels, restaurants and other public places. That's just another way to stir up continued strife between the races.

Discrimination – 1938

Nebraska

WRESTLER IS BARRED FROM NEBRASKA UNIV. MAT SQUAD

LINCOLN, Neb. — (ANP) — John Williams, champion university wrestler who, it was understood, would be the first to crash the color line in Big Six competition, has been barred from competing for Nebraska U., it was announced last week in the Daily Nebraskan, official student publication.

An article announcing this fact under the heading, "Race Prejudice? No, But Negroes Are Not Wanted," appeared in Wednesday's Nebraskan, written by John Stuart, white, who said:

"John Williams is lost to the university wrestling team and inter-collegiate competition because of his color. Williams, a Negro boy from Omaha, was an all-State wrestling champion in high school and two years ago he was all-university champion in the 145-pound class.

"Such a man would be very valuable to the Nebraska team and would certainly bolster a line-up which has only been able to win one meet in intercollegiate competition this year.

No Rule But—

"There is no Big Six rule against Negroes competing in this conference, however, there is an understanding among the loop schools which does bar them from competition.

"Because we desire the conference schools as opponents and do not wish to sever our relations, the athletic board here at the University of Nebraska feels that it cannot allow Negroes to participate in conference meets.

"Allowing Williams to compete in non-conference events would rob his teammates of much needed competitive experience, therefore authorities do not feel that Williams should be allowed to wrestle.

"Williams worked out with the team this year with the understanding that he could compete with several of the teams from the northern States, but according to athletic officials, this was purely a misunderstanding.

"They contend that he was told that he could check out equipment and limber up, as they didn't wish to prevent any man from getting desired recreation and exercise, but he couldn't have a berth on the varsity team in spite of his prowess."

Discrimination - 1938

New Jersey

'Jim-Crow Dishes' For Negro Patrons Is Latest Addition At Jersey Resort

Shore Businessmen Lament 'Poor Season' As Racial Intolerance Keeps Visitors Away.

ASBURY PARK, N. J., Sept. 8—The Labor Day week end was described by old-timers here as one of the poores in many years. Some believe the almost intolerable beach segregation at many of the resorts may eventually doom the North Jersey coast as a favorite resort for New Yorkers and Jerseyites.

As the season ended, much of its future centered about the Long Branch beach segregation case which last Monday came officially before the Supreme Court, when Attorney Walter J. Upperman, of Asbury Park, presented a writ of certiori to Justice Perksie sitting at Atlantic City. The writ is an attack on the Long Branch City ordinance which practically permits the City Clerk to sell colored beach badges only for that section of the beach known as the colored beach.

Justice Perksie denied immediate consideration of the writ and postponed the suit indefinitely. This season, due to publicity, regarding the Long Branch beach situation, hundreds of visitors who used to go there have gone elsewhere and Long Branch residents have suffered thereby.

The so-called "hole" on the Asbury Park beach front, reserved for colored, is being shunned by Negroes. Belmar, further down the shore, has this year taken the prize as the most patronized beach. Sprink Lake, where many national celebrities visit in the summer has no beach provisions for the race and consequently visitors there go down to the Belmar beach a mile or so away.

Along the Belmar boardwalk, however, segregation has already raised its head. In most places they serve colored in separate cups and dishes, and at the one boardwalk movie colored patrons are made to sit on one side. To date, however, there has been no open effort to prevent colored from bathing at any section of the beach. Colored bathers segregate themselves in a measure at the foot of 14th avenue where on Saturday and Sunday afternoons scores of well known eastern socialites gather.

Visitors to Asbury Park will not soon forget the thrill they got in hearing Barrington Guy's performance at Cuba's Spanish Tavern. This swank spot was built by Cuba Lopez on the site of a less pretentious tavern he ran there for a number of years. In those days the bulk of his patronage was colored. Today it is almost all white and Negro patronage is openly discouraged by one means or another. It has become something like the Cotton Club in New York. You can go there but you are not too welcome.

At any rate Barrington Guy has been holding forth all summer before big crowds. Always a popular singer since his days in Washington, his biggest "sender" this season has been the song, "This Is My First Affair," which he sings while fondling the microphone as if it were a woman. White women sit around with open mouths, seeming ready to swoon at the sound of his powerful voice.

Business has hummed at the "Smile-A-While" club after the murder-suicide of Baby Kid Hall and Alfreda Ullman. Many local residents glanced at the torrid contents of Freda's diary before her effects were claimed by her family. Baby Kid's expensive car is still here in the possession of the police department.

Commissioner Strikes Blow At Jim Crowism In Jersey

BURNETT REVERSES A RULING REFUSING LIQUOR LICENSE

Another blow at Jersey's fast growing Jim Crow tactics was struck last Friday when State Beverage Commissioner Burnett reversed a ruling aimed at keeping a Negro club from obtaining a license to sell liquor.

The ruling was made in favor of Bruce Williams, applicant and owner of the Belle Mead Country Club in Belle Mead.

Prior to Burnett's reversal, the Hillsborough Township Committee had ruled that Mr. Williams could not get the license because there were a sufficient number of liquor places in the village.

Commissioner Burnett pointed out that the nearest liquor store to the club was a half mile away. "It is not necessary," Burnett said, "to determine whether the license was really denied because of color. And it is all very very well to talk of the theoretical protection given Negroes under the civil rights act which provides that no tavern keeper shall refuse to sell drinks to patrons merely because of color.

"However, it is a commonplace fact that Negroes, despite this law, are frequently refused service either outright or by more subtle methods. Two members of this club have already experienced difficulty. They were informed at the nearest liquor place to this club that a glass of beer would cost them 25 cents and a glass of whisky 50 cents. Practical differences like these which confront the colored race must be fearlessly faced and given practical and fair solutions."

Such practices of discrimination have prevailed in most of the large cities in New Jersey ever since repeal but little has been done to stop it. The ruling of Commissioner Burnett is expected to pave the way for other Negroes to open businesses of their own instead of submitting to the insults of prejudiced whites, it was learned.

Delay Jim Crow Theatre Hearing In Atlantic City

ATLANTIC CITY, Sept. 28—The case of Mrs. Laura Allmond whose arm was dislocated by the alleged brutal assault of a Royal Theatre employee when he attempted to force her to sit in a jim-crow theatre section was again delayed Wednesday when Judge W. Lindley Waters of the District Court found it necessary to postpone some of the Court proceedings because he was suffering from an eye ailment. New date for the hearing was not announced.

It was on November 8th of last year that Mrs. Laura Allmond accompanied by Mrs. Audrey Tildon attended the Royal Theatre.

They purchased tickets for and took seats on the main floor away from a jim-crow section illegally set apart by the management.

When insults, threats, and abuse failed to make the women comply with the jim-crow rules, the ticket taker in attempting to forcibly eject Mrs. Allmond from her seat, allegedly pulled he by the arm and dislocated her shoulder.

Court Grants a Review of J.C. Beach Law

N.J. Whites Join NAACP in Fight Against It

ATLANTIC CITY.—Saturday's decision by State Supreme Court Justice Joseph B. Perksie, granting a review on the legality of Long Branch's alleged beach segregation ordinance will probably doom every jim crow beach from Long Branch to Cape May.

The briefs were filed by Robert S. Hartgrove of Jersey City, Roger W. Yancey of Newark, and Walter J. Upperman of Asbury Park, attorneys.

Granting of the Supreme Court review amounts to virtually "lifting" the entire ordinance out of the Long Branch municipal laws and placing it on the Supreme Court calendar for examination by Judge T. J. Brogan and counsel for both sides, in Trenton, October 21.

Tags Cost $1

The suit is brought by Mrs. Allie Bullock, a Long Branch property owner. She charges that colored beach patrons who are residents must buy seasonal beach tags at $1 each. The tags admit holders to beaches 1, 2, 3, and 4. She alleges that colored

patrons can buy only tags for beach 3, whereas whites can buy for any of the four beaches, though they are generally sent to 1, 2, and 4.

Her complaint alleges City Clerk J. A. Wooding of Long Branch is empowered to declare beaches 1, 2, and 4 "overcrowded," when colored apply for tags for them. Mrs. Bullock says on July 17, she tried to buy a tag for beach 1, but was refused by Wooding.

She says he stated to her that beach 3, was the "colored beach."

The brief compiled by her counsel, charges that: The disputed ordinance permits "exclusion under the guise of regulation," that "this legislation is not specific enough to embrace the right of prohibition of access to the beaches or to the waters of the Atlantic Ocean, an avenue of commerce between states and nations, over which a municipality has no jurisdiction."

Whites residents are assisting the NAACP to combat the ordinance.

"FLAT FOOT" PEACOCK ! BARRED

We are indebted to the Newarl Evening News for the information tha Eulace Peacock, a world Record breaker, in running and jumping, has been refused appointment on the Police force of that city, because of the rule barring "flat footed" men from service. Dr. Henry A. Kessler exhibited X-rays of Peacock's feet, showing that they were naturally flat. The N. J. Urban League seeks to get a revision of that rule which in the present instance is ridiculous. There is certainly no thief in the U. S. that can outrun Peacock, even if his feet are flat and even though they were fat.

Discrimination – 1938

New Jersey

Taproom Keeper Gets Warning Against Posting Jim-Crow Sign

PATERSON, N. J., Mar. 3—Nellie Alexander, white, proprietor of a taproom in this city, has received a reply to her letter to beverage control authorities, requesting information as to whether she could serve colored patrons in "segregated glasses," and display a sign on the front of her taproom, advising colored persons that their patronage was not wanted.

"The New Jersey Civil Rights Act forbids discrimination in public places on account of race," wrote Commissioner D. Frederick Burnett, of the Alcoholic Control Board. "It is unlawful in this State to refuse the service of liquor to a man merely because of his color, or to discriminate by serving beer in thin glasses to white patrons and in mugs to colored patrons. A licensee may not display a sign to the effect that colored patronage is not solicited."

The New Jersey Civil Rights Bill was passed by the Legislature about ten years ago. It was sponsored by the then Assemblyman W. G. Alexander, of Orange.

Reveals N. J. Civil Service Color Bar

Elks Plan To Protest Action of Officials

2-19-38

NEWARK, N. J.—Discrimination against eligible colored applicants in civil service appointments was charged to New Jersey state officials by former Assemblyman J. Mercer Burrell of Newark in an address before the mid-year conference of New Jersey State Association of Elks last Sunday afternoon. Mr. Burrell is first vice president of the association.

"Civil service in New Jersey is practically a farce when a colored man or woman is seeking public employment," declared the Elk leader. "An unofficial standard has been set up in which the color of the applicant rather than merit and efficiency is the standard. Prejudice and discrimination is the rule rather than the exception in public employment in our municipalities and counties in the state."

Mr. Burrell called the attention of the Elks of New Jersey to the recent refusal of State Motor Vehicle Commissioner Arthur W. Magee to appoint Ira Collins of Jersey City; Walter G. Shouse of Princeton, president of the state association, and William Griffin of Englewood, to positions as inspectors and examiners for the motor vehicle bureau despite the fact that they both stood high in the rankings as a result of the civil service examinations.

Attorney Charles Carter of Jersey City, legal adviser of the association, related the story of the fight that had been made to try to force Commissioner Magee to reconsider his action. Carter endorsed the recommendation presented Mr. Burrell that a mass meeting and demonstration be held in Trenton in April. The young legal adviser also denounced the action of the newly appointed U. S. Senator John A. Milton of New Jersey on his stand in favor of the filibuster by Southern Senators against the anti-lynching bill.

James Randolph of Jersey City took the lead in a move to get behind the Civil Liberties protest meeting, and as a result, President Walter G. Shouse appointed J. Mercer Burrell as chairman of the special committee to stage the mass meeting and protest rally in cooperation with Dr. J. T. Davis, state director of civil liberties.

The program was later approved by Grand Exalted Ruler J. Finley Wilson in a joint meeting of the mid-year conference of the New Jersey State Association, and the Daughters auxiliary. The grand exalted ruler urged the colored people of New Jersey to adopt the same methods as labor, and to picket the offices of Motor Vehicle Commissioner Magee and Governor A. Harry Moore.

TO LEAD PROTEST IN JERSEY PREJUDICE CASE

Prominent Elks of Jersey City, N. J., who conferred last week on plans for the protest mass meeting in Trenton on April 24 in support of the suit case against Motor Vehicle Commissioner Arthur W. Magee. Commissioner Magee is being sued by Ira G. Collins because of his refusal to appoint Collins, who qualified under civil service, for the position of motor vehicle inspector. Collins charges Commissioner Magee with racial prejudice, bias and discrimination. Left to right, seated, Mmes. Lila Love, Lillian Mabin, Abbie M. Johnson, Minnie Johnson, Josephine Brock. Standing: John L. Butler and J. Mercer Burrell, general chairman.

Jim Crow Bars Being Extended Afro-American About Trenton

TRENTON, N.J.—A wave of extreme racial segregation has spread throughout Mercer County here and the State laws against such practices are enforced apparently by no one.

A swimming pool located at Reservoir and Sweets Avenues within the past weeks has displayed large signs openly announcing: "This pool is for whites one day and colored the next."

Supported by City

The pool is supported by Trenton City funds and is operated by the Trenton branch of the Boys' Clubs of America, a national organization interested in the underprivileged.

Other indications of openness of segregation here are the many new signs in restaurants and taverns stating: "We solicit white trade only," all along the highways leading into Trenton as well as in the city proper.

Negroes Entitled To Share This Pool With Whites, So The Whites Closed It

Race Leaders Plan Fight to Force Elizabeth, N. J., to Create Equal Facilities For Negroes.

ELIZABETH, N. J., July 28—The Dowd Natatorium located in Elizabeth port, remains closed to the public because the Recreation Commission refuses to countenance segregation at the pool. They closed it last week when three colored boys who went there to swim found their clothes all wet when they returned to dress.

Last Monday night a group of prominent citizens met with the Commission to discuss the situation. Dr. L. Greeley Brown, Dr. William Brown, Attorney J. Leroy Jordan, Bravell Nesbitt and others comprised the commitee which was invited to the meeting. Dr. Brown announced later that a solution of the impasse was being worked out.

The pool is five years old and is located on the edge of a colored settlement. It is right on the banks of Elizabeth Bay. Two weeks ago Wililam Jackson, 17-year-old son of Mr. and Mrs. Roley Jackson drowned while swimming in the treacherous bay 500 feet from the pool. Neighbors say this is the third death of a colored boy since the pool was opened. Colored have on one pretext or another been baned from using the pool since the beginning. Recent action by the Recreation Commission is one result of a fight against recreation segregation here being made by Dr. William Brown, head of the N.A.A.C.P.

There are indications that the leaders here are trying to make the Commission sponsor a colored recreation center. Radical elements had nothing to do with closing the pool, as reported in daily newspapers.

White swimmers at the pool either wet the clothes of colored boys or beat them up. The pool is publicly owned and irony lies in the fact that colored people live all around it, but can't use it in comfort. Its closing has, of course, affected white bathers as much as colored.

Segregation at Pool Rapped in Trenton

TRENTON, N.J. — A delegation conferred last week with the city officials regarding segregation at the city-owned stadium swimming pool, which is operated by the Boys' Club of Trenton on an alternating day basis for white and colored people.

The city council is expected to decide whether the former open policy of the city playground department will be instituted. The present policy was attacked by the Rev. Seymour H. Barker of Mt. Zion AME Church, Dr. Leroy Morris, physician, and Hilmar L. Jensen, YMCA secretary

Whites Hurl Tomato Barrage At Race Bathers In City Pool

Dowd Natatorium, Jersey Trouble Center, Is Reopened After Recent Riots.

ELIZABETH, N. J., Aug. 25—Tomatoes were thrown at four colored youths at the Dowd swimming pool here Friday, and on Thursday the clothes of five colored swimmers were ripped when they tried to enter the pool. The city-owned natatorium was closed recently when racial friction came to a head after colored bathers had virtually been banned from the pool by whites.

Last week the Elizabeth Recreation Commission suddenly re-opened the pool and threatened to sell it to private control if there was any more trouble.

A crowd gathered outside the pool Friday during the time the four boys entered. They did not attempt to swim and when they left the pool the crowd of whites pelted them with tomatoes. The pool is located in the midst of a colored settlement on East Jersey street.

Two Sundays ago there was a similar "riot" at the pool but officials suppressed news of the occurence.

Police prevented further disorder Friday by routing the crowd.

Many colored swam Saturday in the Stan Island Sound which adjoins the pool. The local branch of the Young Communists League has repeatedly claimed that many colored boys have lost their lives swimming in the Sound because they were banned from the pool.

The pool cost the city $70,000. Dr. James Brown, president of the Elizabeth N.A.A.C.P., has carried on a quiet fight for two years against segregation in a city-owned recreation project. A number of prominent residents have met twice with the Commission to iron out the difficulty. They have discussed re-opening of the pool and also building a new and separate recreation center for colored.

Discrimination – 1938

New Jersey

'Disguised Segregation Seen In Long Branch Beach Ordinances

Mrs. Bullock, Civic Leader, Seeks Court Edict Declaring Them Invalid.

LONG BRANCH, N. J., Oct. 13 — Next Friday in Trenton, Supreme Court Justice Thomas J. Brogan will review the contention of Mrs. Allie Bullock that the beach regulations made by the city last summer are illegal because Negroes are sent only to Beach No. 3 and kept off Beaches Nos. 1, 2 and 4.

Mrs. Bullock, through her lawyers, Robert S. Hartgrove of Jersey City, Roger M. Yancey of Newark, and Walter J. Ufferman of Asbury Park, lists a dozen reasons why the regulations should be held unlawful.

Last week Supreme Court Justice Joseph B. Perskie in Atlantic City granted the plaintiff the right to a Supreme Court review of the issue.

The case affects white people in Long Branch as much and perhaps more, than colored. The attack is not only upon alleged segregation but also on other legal complaints. Some of them involve the law of Admiralty, the charge of "public oppression," the laws of public and private property, violations of state laws definition of a "congested beach," municipal police power, and other highly technical issues.

This aspect of the case is being followed with equal interest by white and colored here. Former holders of private concessions lost them when the city made it a municipal beach. If the ordinance is ruled invalid either on the colored or general issues, many whites will consider it a victory won for their interests as well.

Discrimination – 1938

New York.

DISCRIMINATORY PRACTICES HAVE BEEN MAINTAINED

NEW YORK, Oct. 13—The Metropolitan Life Insurance Company which recently halted the solicitation of policies among Negroes in this State and other corporations which allegedly maintain discriminatory practices against Negroes are scheduled for investigation by the Temporary Commission on the Condition of the Urban Colored Population, it was learned this week.

The commission's program was made public last Thursday following an initial meeting in the office of the chairman, State Senator Jacob J. Schwartzwald, 66 Court street, Brooklyn.

CORRECTIVE LEGISLATION

Although no corporations were mentioned by name in the proposals adopted by the committee, the report specifically promised a thorough investigation of the practices of banks and insurance companies in the matter of service as well as employment. Sources close to the commission admitted that the new practice of the Metropolitan would be probed with a view to the passage of corrective legislation.

Stressing the necessity of an intensive investigation of all the economic, health, cultural and living inequalities suffered by Negroes in this State, Senator Schwartzwald pointed out that one of the prime objectives of the Commission will be a crusade to effect passage of corrective legislation already formulated as a result of last year's hearings.

"It is important to expose these conditions," he said, "but it is far more important to mobilize sentiment and secure the passage of laws which will make such conditions impossible.

WEALTH OF MATERIAL

"The hearings last year uncovered a wealth of material. We intend to gather more facts this year. But out greatest efforts will be directed towards the immediate amending of the labor, education civil service, utility and housing laws of this state to prevent discrimination against citizens because of race, creed or color."

Legislation affecting all these departments was offered in the State Assembly last year, but action was deferred until the present Commission could present its findings in 1939.

Exclusive of the Commission's proposed measures, Senator Schwartzwald and Assemblymar William T. Andrews of Harlem also introduced bills which would ba discrimination against Negroes ir retail stores and similar institutions.

The Brooklyn legislator, whose senatorial district embraces the Fifth, Sixth and Twenty-third Assembly Districts with large Negro representation, also introduced measures making the promulgation of race hatred punishable by three years imprisonment and fines up to 5,000.

The main fields to be explored by the commission, according to the report submitted by Gerald E Allen, executive director, and Lewis Mayers, legal counsel, are those of employment, public welfare crime and delinquency, recreation, trade unions, insurance companies and education.

The first public hearing, following intensive field investigation, will be held in the metropolitan area, most likely in Brooklyn, before October 25. Other hearings will be held in Binghampton, Syracuse, Rochester, Duchess County and other up-state communities.

Girl Wins Right To Become Pupil In Mt. Vernon High School After Pastor Takes Up Case With Supt.

MT. VERNON, N. Y.—In the face of seemingly insurmountable difficulties of both a legal and material nature, the Rev. P. K. Fonvielle, pastor of the Centennial A. M. E. Zion Church, South 8th avenue, again swept on to victory in his battle against discrimination, segregation and jim-crow practices in this city. Every pool room, barber shop and street corner knows of Superintendent of Schools William H. Holmes far-flung power. Not only does Supt Holmes control Mt. Vernon's school policies but directly influences the policy of Westchester County's schools system. His word is law. It was kept difficult to secure many of the city's leaders and most of the Negro population held out small hope of any positive committment on Supt. Holmes' part. Today nobody can deny that they were badly mistaken. Rev. P. K. Fonvielle's victory is sure and complete.

When 17-year-old Ester May Porter left her invalid mother a month ago in the care of her aunt in Greenville, North Carolina, (Ester May's father died when she was 2 months old), and journeyed North she little thought that she would be turned out of the Mt. Vernon Davis High School after her books had been taken away, and told that unless she could secure $175 she could not return. And all this after only two weeks attendance at classes. A cousin with whom she says was the first to learn of the attempted discrimination. The cousin, Mrs. Estelle Coley, tearfully took the matter up with Supt. Holmes who told her that he didn't think (among a list of other things), that Ester May was legally able to go to school. After many friends had urged Mrs. Coley she brought the case to the attention of Rev. P. K. Fonvielle.

..The militant Rev. Fonvielle, a crusader who has always lent the power of his pulpit to all worthy causes immediately threw aside the mountain of legal red tape and got to the real issue: Can a Negro desirous of securing an education secure it in Mt. Vernon?

After consulting his attorney on the legal points, the minister together with Ester May and Mrs. Bertha Thomas, owner of the Belton Beauty Parlor on Seventh avenue, went to the office of Supt. Holmes. What transpired was a battle between a shrewd politician and a Negro strategist fighting for the rights of his race. Victory was declared only after every technicality Supt. Holmes could raise was blasted. Ester May returned to school Monday morning.

"I am determined that Ester May will go to school here! She wants to go and I am prepared to exhaust every political, social and legal means to do it," said Rev. Fonvielle, to Supt. Holmes, "With me is Mrs. Thomas, a member of my church, who consents to adopt Ester May, if need be, to meet all legal requirements."

Rev. Fonvielle's victory in the Porter case calls to mind a previous victory in a similar case involving a Georgia youth.

One recalls the whirl-wind campaign carried on by Rev. P. K. Fonvielle a few months ago around the Board of Education elections when more votes were won by him from white progressives and Negroes than by any Negro candidate running in any previous election. A leading white politician remarked that had Negro watchers been on duty in some of the outlying polling places victory would have belonged to the pastor.

"The best guarantee that the Negro people of Mt. Vernon have that they will get justice in education as well as in all other fields, is the placing of Negroes in office," said Rev. Fonvielle recently.

At the present time Rev. Fonvielle is working with the progressive leaders Negro leaders of the city to set up a Non-Partisan League to coordinate the work of all existing organizations: political, social, civic and religious. The object of such an organization would be the creation of a common platform of struggle for equal rights for Negroes on all fronts.

RACE PREJUDICE HITS BILLY HICKS

Old Patrons At Swanky St. Regis Hotel Kick, But Manager Ignores Them.

NEW YORK CITY, Oct. 27—Billy Hicks and his small combo of swingsters, who surprised the musical circles here when they snagged a coveted berth at the swank Hotel St. Regis opening at the close of September, ran into a bit of southern race prejudice after less than a month playing there.

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In an interview with Hicks regarding the situation which started rumors that the management would call in the contract, which still has several weeks to run, letting the band out, this department was assured there would be no such action on the part of the hotel manager who feels that this is the time for his spot to attempt colored entertainment.

According to Hicks, the question of racial difference arose when a few of the old habitues of the hostelry kicked against their presence, stating that they would stay away as long as the St. Regis had a colored orchestra on hand. To this the management is quoted as saying okay then, but the band stays. In conference with Hicks later, the management of the spot stated that as long as new people came allowing him to make up for the loss of those who are still in the Civil War era, the band would remain, but he couldn't afford to lose business.

Raps Federal Housing Authority For Prejudice Against Negroes Seeking Loans To Build Houses

Refusal by the Federal Housing Administration in Jamaica to guarantte loans outside of certain "unwritten" zones in that locale, was charged last week to Washington authorities, as "personal prejudice" and "rank" and "hard-boiled discrimination" on their part.

Disclosure of the "prejudicial" act came to light with the publication of a protesting letter to the F. H. A. headquarters in Washington, D. C., by a Queens real estator, Henri F. Carden, of 166-17 South road.

Carden, "amazed at the local office definition of F. H. A. policies regarding colored people," vehemently claimed he made an application in the interest of four colored families. The four want to build homes costing approximately $6,000, he said in the letter.

"After submitting location," declared Carden, "the Jamaica division office refused to guarantee loans in the section on the grounds of color and also suggested that the applicants try to acquire land in a more populated colored section."

The "location," he informed, "is situated at east side of 168th street, 100 feet North of Jewel avenue, Flushing Heights, Queens County, New York."

The real estator stated that "records will show that in 1922-1923 some thirty-eight acres of this land were laid out in lots by the late Joseph Feldman of Brooklyn, N. Y. under the corporate name of 'Flushing Lawns Corporation,' several houses erected and the entire development sold to colred people as a home site, strictly for them."

Carden added: "There are now about fifteen families residing there. The rest of the land is still vacant."

Chides F.H.A.

In his tirade he became sarcastic 'I share the belief with the rest of my race," the Jamaica real estate man said, "that the F. H. A. system of mortgage guarantee was for the promotion of home owning for all citizens, and am not aware that the law contained any clauses whereby certain local officials could determine zones strictly upon a basis of personal prejudice."

He concluded in wonderment: "It is hard to believe that such hard-boiled discrimination emanates from Washington on a matter of national policy intended to aid all citizens; especially after such nation-wide publicity as this Act has been given and the interest it has created."

400 Pupils Strike over Racial Insult

OYSTER BAY, N.Y.—A taxpayer's remark that the Oyster Bay High School was "too good for n——, wops and polacks" resulted in a strike of 400 students on Monday.

At first the strikers, who were principally colored, Italians and Poles, but they soon were joined by throngs of others. Students who were objects of the racial epithets represent about one-third of the school attendance.

Parents Back Students

Parents of strikers, many with their small children, packed the lawn of the modern and pretentious Long Island school and defied police to oust them. The officers were led by Capt. Vincent Chimenti.

The students finally voted to attend afternoon classes after serving Superintendent Leon Deming with a warning that they would strike again unless they were furnished with the name of the taxpayer or given a public apology.

MOTHER CLAIMS BABY DEATH DUE TO RACIAL BIAS

NEW YORK, Nov. 17—While continuing its investigation of Brooklyn, where sensational charges have been filed against the hospital system, the New York State Temporary Commission on the Condition of the Urban Colored Population, this week, broadened its activities by inaugurating a social and economic survey of the Negro residents of Dutchess County.

Preparing for a second public hearing in Brooklyn, investigators for the commission last week probed the charges of a Negro mother that she was allowed to give birth to a child in St. John's Hospital without the attendance of a physician or a nurse, and that the child which died later was buried without the parents being informed of its death.

The charges were made with the commission by Mrs. Rhoda McConnell, 416 Hancock street, Brooklyn. According to Mrs. McConnell she entered St. John's Hospital on September 5 and gave birth to her baby in the maternity ward there, unattended by a physician or a nurse.

CONTRACTED PNEUMONIA

Not until the burial of the baby two weeks later, she charged, did she learn that the infant had contracted pneumonia, been transferred to Kings County Hospital without her knowledge and succumbed to the illness.

While these charges were being investigated from the local office of the commission, Dr. Charles L. Franklin, research director, and a staff of field workers traveled to Poughkeepsie where a social study has been inaugurated in Dutchess County.

The upstate survey began last week when Gerald E. Allen and Dr. Franklin visited Poughkeepsie to map out the work in the county and to begin the organization of a bi-racial citizens committee which will co-operate with the commission.

The Dutchess County study will encompass a survey of conditions in four State institutions located in the Poughkeepsie vicinity—the Hudson River State Hospital there the Wassaic State School at Wassaic, the Matewan State Hospital at Matewan, and the Harlem Valley State Hospital at Wingdale.

TO STUDY EMPLOYMENT

The employment of Negroes on the staffs of these various State institutions, as well as the number and treatment of Negro inmates will be studied by the field workers under Dr. Franklin. The wider investigation will also include the treatment of Negroes by the public utilities and private employers as well as housing, recreational and educational facilities in the community.

State Senator Jacob J. Schwartzwald of Brooklyn is chairman of the commission and Assemblyman William T. Andrews of Harlem is vice-chairman. Father Michael Mulvoy of St. Mark's Catholic Church is secretary. Prof. Lewis Mayers of City College and William Pickens Jr., are associate counsel for the commission which maintains offices at 150 Nassau street, Manhattan.

Discrimination - 1938

New York.

BARRED FROM POOL., GETS $500 VERDICT

NEW YORK, Feb.--(CNA)- A verdict of $500, the full amount allowed under the New York Civil Rights law, was awarded to Harry Ashley, of 2800 Bronx Park East, this city, in a civil action against the management of the Bronxdale Swimming Pool, Bronxdale Avenue near White Plains Road, The Bronx.

Crusader News Agency, 1-31-38 newyork city

Ashley, a former instructor in chemistry at Temple University, sued the management of the pool when he was barred from the pool last July. White witnesses for Ashley testified that he was barred because he was a Negro and that the management had followed a consistent policy of racial discrimination for several years past.

Judge Haber of the First Municipal Court awarded the verdict at an inquest in which the defendant did not appear.

Organizations supporting the complainant were: the National Association for the Advancement of Colored People, which assigned one of their ace attorneys, William Pickens, Jr., the Workers Cooperative Colony at 2800 Bronx Park East, and the Sixth Assembly District of the Communist Party. Spokesmen for the Workers Cooperative Colony expressed the opinion this week that the verdict would prove an opening wedge in the fight against jim-crowism in the Bronx.

News of Game Omitted From Sports Page

Daily Worker 2-12-38

Follows Another Blatant Case of Jim Crowism Just Revealed

New York Post

By Lester Rodney

News of a college basketball game between a Negro college and a white college is "not fit to print."

The list of yesterday's sports events in the New York Times studiously avoided mentioning the St. Francis-Lincoln game, played at the St. Peter Claven Church last night.

Priding itself on its completeness of detail, the Times' list of events included games between Pharmacy Schools, Club teams, and the Upsala College girls' game with Washington Square Girls.

This omission, which could hardly be called an oversight in view of the fact that releases on the game have been going out for weeks, and stories on it have appeared in most New York papers, follows another glaring example of Jim Crowism by the Times' sports department.

The sports editor of the "Beacon," Brooklyn College publication, informs me that several days before the current season opened a Times' photographer came to the Brooklyn gym to get some shots of the team. When Coach Musicant selected the seven first-string men for the picture, Jim Coward, Negro star, was included.

The Times' man tried to keep Coward out of the picture and only when the whole team protested, included Coward in the back row on the inside.

When the picture appeared in the Times, the corner in which Coward stood had been neatly darkened so that he was hardly discernable.

All the News the Times Sees Fit to Print. And please don't bother the Times sports section with complaints.

Haven't you heard of the "Freedom of the Press"?

Seeks To Strengthen N.Y. Civil Rights Law

Defender

ALBANY, N.Y., March 4—A bill "with plenty of teeth" amending the state civil rights law was introduced in the lower house of state legislature here last week by Assemblyman William T. Andrews, Harlem Democrat at the same time a companion measure was introduced into the senate.

3-5-38

Under the terms of the proposed amendment, places of amusement which are required to obtain licenses to operate would have their permits revoked if found guilty of discriminating against persons in the matter of equal accommodations.

The measure is one of a series being drafted to carry out recommendations of a committee.

Condition Of Race Shown In Report

Nine Point Program Is Outlined

ALBANY, N. Y.—(ANP)—Evidence of widespread discrimination against Negro New Yorkers and a nine-point program aimed to change this condition were submitted Monday night to the state legislature in the report of the New York State Temporary Commission on the Condition of the Urban Colored Population, headed by former Assemblyman Harold P. Herman, white, and appointed by the 1937 legislature.

The state's Negro population rose from 134,191 in 1910 to 412,814 in 1930, an increase of 326 per cent, the report said, and added that the race represented a portion of the state's inhabitants that could not be neglected without serious danger to the welfare and safety of the state.

CITIZENSHIP DENIED

Although New Yorkers have frequently said they wanted all to share equally in the rights and privileges of citizenships, they have not carried it out where Negroes are concerned the report said.

"The colored population today suffers from unusually serious economic insecurity," it went on. "It has never been accorded equal opportunities for employment either by industry, commerce or public utilities, and because of this fact, it has suffered from unemployment with severely disproportionate intensity."

Because of restrictions, Negro workers are mainly restricted to unskilled labor and marginal types of jobs, with better jobs in the main refused them, the report said. In New York City, the poorer class-es earn an average income annually which is less than 50 per cent of the average income earned by the poorer half of the white population, and the average colored income throughout the state is "too low to maintain a healthful and decent standard of living."

RESTRICTED TO AREAS

Because of low income and "a public acceptance of residential segregation," Negroes are restricted to certain residential areas. This has created a scarcity of housing and raised rents "beyond reasonable levels or those paid by the white population for similar accommodations" and forced colored people "against their will" to live in dwellings unfit for human habitation.

The report advanced a nine-point legislative program as follows:

1. Amendment of Labor Relations Act to exclude from the protection thereof such unions as deny the privilege of membership or the opportunity for employment to all races and creeds.

2. Supplementing existing provisions of the law prohibiting racial discrimination in employment or State or municipal public works contracts.

ARMED CIVIL LAW

3. Amending the Civil Service law limiting the circumstances under which appointing officials in selecting one of the three highest eligibles may pass over an eligible in favor of a lower eligible and require appointing officers who may pass over an eligible in favor of a lower eligible to make sworn certification of the reasons thereof.

4. Prohibiting religious discrimination of any kind in public employment.

5. Making provision for extending to all cities formalized procedures in the selection of school teachers.

6. Regulating contracts of public utilities with their employes to the end that a labor union having a closed shop contract with a utility may not practice discrimination against members or applicants for membership.

RESIDENTIAL EQUALITY

7. Empowering cities and villages in which particular racial groups are denied access to available housing to acquire dwelling structures to be rented on equal terms to all inhabitants of the state.

8. Regulating the procedure for admission to public educational institutions to insure that qualified applicants for admission shall not be excluded by reason of race, color or creed.

9. Supplementing existing statutory provision designed to insure to all persons equal facilities and privileges in places of public accommodation.

TRAMCAR MAN CALLED THEM A MEAN NAME

One Addressed as a "Black Alligator" By Operator

A New York City trolley concern the Third Avenue Railway Company, had been asked this week to pay three Harlemites $9,000 as a balm to soothe "mental wounds," inflicted by an employee of the company.

The amount demanded, asked for in a suit filed in City Court last week, represents a new twist in the interpretation of New York's "Implied Contract Law."

The identity of those seeking damage was not disclosed by their attorney, Harrison S. Jackson, but the wounds referred to were, allegedly, inflicted by Operator No. 1149 of surface car No. 103.

Called "Black Alligator."

He, the plaintiffs say, haled John Williams of 153 West 118th street, as he crossed 125th street in front of a trolley driven by the operator last month. As Williams neared the tracks, the trolley car operator is reported to have said: "Get out of the way you black alligator."

This, in the opinion of Attorney Jackson, is a violation of New York's "Implied Contract Law."

Several days ago Mr. Jackson wrote the company telling them about his opinion and their secretary, Victor McQuiston, replied in effect that they valued the patronage of Negroes as well as other groups and appreciated his bringing the incident to the company's attention.

The suit is entirely a new angle in regards to laws relating to common carriers. It is said to be the first suit of its kind to be filed in New York courts. And Mr. Jackson believes that eventually it will probably become one of the most powerful weapons Negroes might use against Jim Crow practices on buses and railroads.

Mr. McQuiston appeared surprised when informed that a summons, asking for $9,000, had been filed. "I wrote Mr. Jackson," he told The Amsterdam News, "a few days ago, expressing regret for the incident but I didn't know there would be a suit. We don't usually takes drastic action against an employee on just one complaint, especially when the man denied making the remarks," McQuiston explained.

Carrier Is Liable.

"But," said Jackson in a prepared statement, "this fight is based on the theory that a common carrier is liable for the insulting remarks of any of its employees.

"The Third Avenue Railway Company contracted, when they accepted the fares of my clients, to safely and comfortably carry persons of color, as well as others, to their destination. And when their employee made vile and insulting reference to the Negro race, my clients were not safe because they were in mental anguish."

When several white passengers objected also to the reference made by the operator, Jackson said also, they were waved aside. They will be called as witnesses when the case is heard in court.

BAN ON DISCRIMINATION

NEW YORK — The American Labor party urged this week that the State constitutional convention include in its proposals a provision against discrimination on account of race, color, nationality or religion.

Negro Magistrate Fines Nazi for Insult to Jews

A $25-fine and a stiff reprimand was the answer of Negro Magistrate Myles A. Paige in Yorkville Court yesterday to the jeering of a Nazi handbill distributor who dished out insults with his pamphlets.

Magistrate Paige found Carl Krack, 27, 315 E. 84th St., guilty of "more than ordinary disorderly conduct." His companion, Otto Fentzke, whom police also described as a Nazi, was fined $5.

Krack was arrested on the complaint of Mrs. Ester Eichel, 317 E. 85th St., who said the Nazi yelled at her: "when the Germans come over here they will chase you Jewish—back to Jerusalem." Mrs. Eichel is the wife of a Yorkville dentist.

After levying the fine, Magistrate Paige said, "If one is going to be racially minded in times like these he must be careful not to hand offensive literature to people it might offend. Naturally Jews in this case would be offended.

"I don't blame them for losing their tempers. Anybody with red blood would.

"I know what would happen if the Klu Klux Klan came up to Harlem making speeches to send the Negroes back to Africa."

Krack attempted to temper his insulting remarks when he gave his version in court. He said he merely said, **"you Jew, why don't you go back to Jerusalem."** Magistrate Paige couldn't see much difference and was unimpressed by Krack's explanation.

N.Y. Legislature Bars Jim Crow in State Jobs

Solons also Pass Own Antilynching Bill

NEW YORK—In the last mad rush of the Legislature at Albany, the past week, to finish its work, a number of bills affecting Harlem were passed, as follows:

To define a mob to include three or more persons and lynching as an act of violence resulting in death.

To prohibit discrimination by reason of race, color, or creed, in appointment to civil service position in the competitive class and to jobs in the labor class in cities.

48 Per Week in Beauty Parlors

To prohibit employment in beauty parlors of males between 16 and 18, from midnight to 6 a.m., or more than 48 hours in any week, or females over 16, for more than 48 hours a week, and to bar such employment for children.

Bill Hits Movie Mad Kids

To prohibit a person other than a guardian or parent or one authorized by either from purchasing for or giving to a child under 16 an admission ticket to a motion picture.

This bill if signed will effect the hundreds of children who stand in front of Harlem movies and ask adults going in to buy tickets for them.

Numbers Bill in Shuffle

Other bills in which there is major interest but of whose fate there was no information here, Saturday, are: that introduced by Assemblyman Robert W. Justice exempting numbers players from arrest, and the measure calling for licensing of all beauty operators.

New York

Discrimination—1938

Metropolitan Life Not Seeking Negro Business In New York

Anti-Jim Crow Law Cited by Company as Reason for Its Failure to Permit Agents to Solicit New Policies —Prospects Must Apply at Company Offices.

NEW YORK, Sept. 22—The Metropolitan Life Insurance company, which has written millions upon millions of dollars of insurance upon Negroes in this country, is not soliciting any business from Negroes in New York state

Charles G. Taylor, Jr., second vice president of the company, has written the National Association for Advancement of Colored People:

WE DO NOT SOLICIT

"We do not solicit applications for insurance from colored persons in the State of New York, but . . such persons may apply at any one of our district offices where they will receive fair and courteous treatment when they so apply . . This practice has been made necessary in New York because of a law passed at the instance of Assemblyman Stephens:

"This law was calculated to, and did in fact, make it impracticable for us to conduct our business as formerly in the State of New York. This situation pertains only to this state."

In a previous letter, later clarified, Mr. Taylor had written the N. A. A. C. P. stating its change of policy was "due to a law passed at the instance of one of your own race."

LAW PASSED IN '35

The law to which the Metropolitan refers is one passed in 1935 making it unlawful for any insurance company to discriminate against colored people in the type of policy offered for sale, or in the rates or premiums charged thereafter. A second section of the law forbids a life insurance corporation rejecting "any application for a policy of life insurance issued or sold by it."

The inquiry of the N. A. A. C. P. was prompted by complaint from a colored man in Brooklyn who wrote that his Metropolitan collector had told him he would have to apply to a district office if he wanted new insurance.

The N. A. A. C. P. so far has had no complaints about treatment of colored people who apply to district offices. It is not known whether they are having any extra difficulty securing the same types of policies as are issued to whites.

OUTLAWED OLD METHOD

It has been known for years that some insurance companies have refused to sell certain types of policies to Negroes, no matter how qualified Negroes might be to purchase the same. It was this policy which prompted Assemblyman Stephens to sponsor his law in the 1935 legislature outlawing jim crow treatment.

Jim Crow Rampant On Staten Island

By Alfred A. Duckett

The age-old tale of race prejudice and discrimination which confronts Negroes in almost every community throughout the nation is the tale of Negroes on Staten Island. Twenty-two minutes out of New York City and a few scant miles inland bring the traveler to the island's copper-colored colony.

The bus stops at Jersey street. Here, the settlement begins. A surrounding area of eight to ten blocks includes an estimated population of one hundred Negro families.

We don't think much of living conditions here. 'Tis a Shantytown settlement of half-hearted frame houses much the worse for wear.

Neighbors hail each other across narrow streets with a rural heartiness. On the surface there is the appearance of a well-ordered tho' uneventful community existence. And yet the stranger senses an apathetic futility pervading all.

This old citizen ahead of us, towing a large and lazy hound in his wake, is typical.

Friendly, settled and casual.

He is mildly cynical at our uncomplimentary surprise about housing conditions.

Called White Man's Town

"Look, young fella. We's lucky to have these. This is a white man's town. You'll find out."

It was a bit more cheerful, however, up around Broadway and Castleton street, where we found Doc Luen Mosely. Youthful and friendly, this handsome medic enjoys a thriving practice. A graduate of Michigan, Howard and Lincoln U., he is a member of the Elks and Omega Psi Phi Fraternity. The doctor occupies small though fully adequate offices on the second floor of the corner bank building. Although only established on the island for twelve months, he is popular with everybody.

The community's young folk think he has plenty of "go." The older citizens dub him a "comer."

Dr. E. T. Marrow is the local colored dentist. His office is down the street from Doctor Mosely's over a bakery shop. Originally from Elizabeth, New Jersey, Dentist Marrow has been yanking local molars for a decade. An Alpha man, he is the father of three children.

On West Union street, a few blocks away, is the offices of James W. Chambers, the town's colored mortician. He has a good business.

Everyone here has complimentary things to say about William A. Morris, Staten Island's "moving-van man." Morris' business, reputedly, is one of the largest in the State.

We are directed to the only Negro-owned restaurant. Mrs. Sally Williams presides over it. Business is good here, too.

Two Negro-owned beer gardens are in this section.

It looks like business could be worse out here.

The Broadway jewelry shop of Nathan Dujohn yielded treasure.

"We try to make the NAACP mean exactly what its name implies," he told us. Bias against Negroes is unreasonably prevalent on the island."

Battle Around Beaches

One of the more violent battles which the organization has fought recently involved discriminatory practices on Staten Island's public beaches. Most flagrant was the management of the Midland Beach. Affairs came to a head, when three of four Sea View nurses were humiliated and driven off the beach.

A committee was appointed by the Association's local branch to investigate. Although committee members were sold tickets admitting them to the boardwalk, they were denied the privilege of bathhouses on the pretense that they had been reserved by a club.

"We had a clean-cut case, however," Dujon pointed out. "A white man who is our friend, stuck with us to the bitter end and we won a partial victory when the management was forced to settle the matter out of court."

He believes this action has greatly retarded the possibility of that type of discrimination.

Though discrimination, prejudice, bias and the like are rampant throughout Staten Island, most of the leaders there are fighting it tooth and nail.

If it weren't for the fact, they explain, that several years ago colored people were charged two or three times the real price of a glass of beer in white taverns, there would never have been a chance for Dunton Tucker to establish a flourishing trade in his Broadway tavern. Negroes here will travel several blocks to patronize Tucker because of a feeling they are unwelcome in white places. Not only that, but after a short time, they have got to feel that they are scarcely interested in the white places welcome or not.

Sea View Is Famous

A temple to health is Staten Island's famed Sea View Hospital where three hundred Negro nurses from all parts of the country toil. Noted for its health cure methods, Sea View looms in stately silence, a monument to the colored nurses

—some of the best in the country.

The most crying need among Staten Island's three thousand Negroes, is for better housing, everybody says.

"Regardless of position or background," a business man confided, "a Negro cannot get a decent apartment or house in this community. That is our biggest problem."

Nathan Dujon cites the case of the Vanbro Construction Company, contractors, who are constructing a row of houses in the colored section.

"I heard that the company had refused to lease, rent or sell to Negroes," Dujon stated. "I went to him and was notified in no uncertain terms that they were "his houses and that he didn't intend to rent them to colored people."

"There is an acute need for legislation to help eradicate this sort of thing. It is a direct campaign to discourage Negroes from migrating to Staten Island and to discourage those who are here," Dujon declared.

Some residents admit, however, that the Negro section is cursed with a "bad element of boisterous and unruly individuals by whom the whole race is appraised and condemned."

Mention of such an element inevitably brings to mind the question of crime. We were told that the crime situation is thoroughly lamentable. Movement has been on foot recently for more adequate policing to quell disorder and annoying uproariousness in the vicinity. Living conditions and the employment situation have much to do with this, we learn.

Church Is Leader

As in most communities of its kind, Staten Island's black belt has one influence which solidifies, consolidates and is the common denominator of all—the church.

"That," say the leaders, "is the only thing to which our people rally with whole heart and soul and depth of sincerity."

Prominent among the churches of the community are Shiloh AME Zion Church, the Rev. E. A. Carrol, pastor, and St. Phillips Baptist Church, Port Richmond, pastored by the Rev. Johnson.

Jobs are a serious matter. The rate of municipal and civil service employment on the Island is negligible. There are a few Negro employees of the Department of Sanitation, which is just about as far as that goes. Prominent in the limited class which holds worthy municipal or government jobs are Building Inspector Harold Scott, Mr. and Mrs. Henry, (he is a retired post office employee, she a public school instructor); and Mrs. Dora Cole Norman, school teacher.

Politics is an important factor among the colored folk here. The average Staten Island "man-on-the-street" will tell you:

"I'm no politician. But I do my duty. I go to the polls and vote my mind."

No great strides have been made in politics, but intense interest seems to center about the American Labor Party's activities—especially among the peoples' leaders.

The Rev. Johnson, we are told, makes rather an important ripple in the stream of political patronage, devoting a deal of his time and energy to helping Negroes of his congregation and community.

Among civic problems, at one time, was the vicious anti-Negro attitude of The Staten Island Advance, local daily, declared one business man.

"There was a time," he said, "When The Advance staff used to do its very darndest to put the emphasis on the cheap little assaults and petty robberies involving poor colored citizens. They never had any room, however, to mention what we were doing that was constructive."

Paper Changes Attitude

Recently, it was said, this attitude had been reversed so much so that leading citizens were loud in their praise of the paper's editorial policies and absolute fairness in printing the news. The paper recently conducted a poll in which leaders and ministers were asked their attitude on Father Divine.

Poignant indeed is the problem of the young people in Staten Island. The community has very few social clubs, and entertainment facilities are negligible. As if this were not bad enough, recreational advantages are also denied.

"We wanted to have a YMCA, a YWCA or some sort of community center out here," one of the younger social leaders told us. "But we were informed that we couldn't have a Negro Y until there was a white one.

Probably the most active organizations are The Round Table; The Lightoleers; the semi-social and church clubs and the junior and seniors branches of the Negro Youth Council. The latter has an approximate membership of thirty.

Jobs Mighty Scarce

To add to the social perplexities of Staten Island youth is the economic tangle. Jobs are scarce and hard to get and precedent has it that, however qualified, youthful colored Staten Islanders haven't a chance at almost any kind of a job.

About the biggest local opportunity for the young Negro woman is housework. For the young man—comparatively nothing.

Well, Christmas is just around the corner and if there's anything like the Christmas spirit and Kris Kringle there are lots of things the Negro community of Staten Island would like to find in its stocking. Let's look them over.

Better housing.

Works Progress Administration activities.

Facilities for entertainment and recreation for youth. And Jobs, Jobs. Jobs!

"... The Hand That Fed Him"

BY

Refusal To Solicit Any More Negroes in New York State

Discrimination - 1938

New York

"NO NEGRO GUESTS," LANDLORD TELLS WHITE TENANTS

Crusader News Agency 5-16-38

NEW YORK, May--(CNA)-- Because she invited Negro guests to her home, Helen Rosen, a white tenant of 93 Perry Street, was threatened with eviction this week by her landlord if she does not "instantly stop the practice."

New York Age

In a letter to Miss Rosen, the landlord, the LeMans Realty Corp. in open violation of the State's civil rights law, stated:

" I was greatly shocked to learn that it is your habit to entertain in your apartment persons of color.

"The situation created by that practice introduces the gravest kind of economic fears and I must ask that you instantly stop the practice."

Miss Rosen, a former WPA clerk, is now on home relief, and shares the apartment with two other young women, both employed. They moved into the building a month and a half ago. A Negro superintendent in charge of the building rented them the apartment without a lease.

Using the words of the most rabid Negro-haters of the country, D.A.O'Sullivan, president of the realty corporation, declared:

" I find it difficult to believe that any person who is living, even a short time, in this country, would be ignorant of the inexorable social and economic laws which oppose the mingling of colors."

Declaring her intention to fight any attempt to evict her friends and her from the apartment Miss Rosen stated in a letter to O'Sullivan: " 'the persons of color' you refer to are my friends and I have no intention of asking them to abstain from visiting me. I definitely resent the liberty you take in daring to assume that you have the right to dictate whom I shall and shal not invite to my home."

She referred to the Declaration of Independence, the Bill of Rights and the 13th and 14th Amendments to the United States Constitution, and told the Negro-hating landlord that she is not "aware of any law, written or unwritten," that would forbid the choosing of her friends as she pleases.

The City-Wide Tenants Council, through its executive secretary, Heinz Norden, has announced that its chief counsel, Vernal J. Williams, Negro attorney, will handle any legal action which may arise.

Norden described the case as "shocking" and pointed out that the landlord in all likelihood will manifest not the slightest objection if Negroes enter his premises as servants. It is only when the Negro assumes his rightful place as a social equal, he declares, that objections arise.

Pointing out that when a landlord dares to dictate the personal and private relationships of his tenants fundamental principles are at stake, Norden stated that such dictation is but a step toward dictating their opinions. This, he said, is but a step toward fascism.

THE ANTI-RACIAL AMENDMENT

Age 8-6-38 New York

THE NEW YORK SUN takes issue with Judge Charles Poletti's proposal before the Constitutional Convention which says:

"No person shall, because of race, color, creed or religion be subjected to any discrimination by any other persons, or by any firm, corporation or institution, or by this State or any agency or subdivision of the State."

While The Sun does not go along with Delegate Wallin's defense of the right to discriminate as "God given," it does maintain that Judge Poletti's proposal is unwise because it would open the doors to extortioners and mischief makers and cause a flood of unnecessary litigators within the state.

It may be there would be a considerable amount of litigation at first but as soon as it was found that the courts upheld the law, the discrimination would cease. An operation is unpleasant but if it removes a cancerous growth, one considers it necessary for the health and well being of the individual. All new laws are potential cause of additional litigation but if the law is designed to wipe out some evil, it doesn't seem logical to oppose it simply on the grounds that The Sun takes.

Most people agree that racial discrimination is un-American and bad for the welfare of the various racial groups that make up the citizenry of the state, but, according to The Sun, we should shut our eyes to it because a few unscrupulous lawyers might profit thereby. No one can rightly object to the Poletti proposal, it seems to us, unless he belongs to that group of Nordics who consider themselves superior and who feel that such a law would work a hardship on them in that it would prevent them practicing the discrimination against minority groups that Germany and Italy are practicing today.

Protest Against Efforts To Oust Colored Girl

NEW YORK—(C)—The decision of the Manhattanville College of the Sacred Heart to admit a Negro girl to the Freshman class, which was made by the circulation of an anonymous letter to the school's alumni urging that the move be protested, brought twenty-five letters of approval of the stand, it is revealed in "The Tower Postscript," official publication of the school. Extracts from the letters of approval are published in the summer number of the college publication.

Mrs. J. W. Biggles of Chicago wrote: "I have received through the mail an anonymous printed communication asking me to protest the admission of a colored girl into the Freshman Class at Manhattanville College. Apparently the instigator of this 'Jim Crow' leaflet is ashamed to expose her identity or she would not have written behind a cowardly anonymity. I herewith inform you that I am convinced that Jim Crowism is inherently opposed to the fundamental equality of all races in Catholicism and wish to commend you for your progressive step in admitting young ladies regardless to their race into the full privileges of Manhattanville College."

Mrs. Frank Gannon of New York wrote: "My sense of loyalty and devotion has been outraged by his enclosure which was addressed to me and sent out by a supposedly loyal and devoted group of Sacred Heart Women. Loyalty must go hand in hand with courage, and this unsigned statement is the most cowardly and bigoted, in print, I have ever seen. It will have its effect—effect undoubtedly be a stimulus to the need of a greater loyalty and devotion, from a great body of Sacred Heart women to the need of a greater loyalty and devotion, from a great body of Sacred Heart women, to the difficult problems you are called upon to meet in these troublous times — women who try to keep before them, vividly and unfettered, your teaching and interpretation of loyalty and devotion in Catholic Action. I like to think of myself as one of those women and am always grateful to the Sacred Heart of Jesus for according me the privilege of being Sacred Heart girl."

Hildreth Meiere of New York wrote: "I was amazed and outraged to receive an unsigned communication through the mails protesting the acceptance by Manhattanville, of a colored student — I am only one of your many children who will want to go on record as accepting your decision."

Helen Carlin, class of '19, wrote from Boston: "I was annoyed really distressed, to receive that anonymous protest against Manhattanville receiving a colored freshman. — I feel proud, tremendously so, that Manhattanville has the courage of her convictions despite apparent objections."

Betty Hoppe of Cincinnati, class of '30, wrote. "Since protests against colored women have been solicited by an 'Alumna of Manhattanville I wish to express unsolicited my approval of the broadness and Christianity of your stand in having accepted one for next year's Freshman Class. If Manhattanville is to become a true center of education for Catholic women then scholarship should be considered above all prejudices of race — I happen to have had the personal experience and great pleasure of going to medical school with a colored girl. She was the only one there at the time. She shared our dormitory life and was accepted on an equal footing by all the girls. In fact I consider her one of my good friends and she completely erased my former prejudices. Her class standing was extremely high. I think it unChristian and shortsighted to deny an education to any one with the mental qualifications and desire to obtain it."

Betsy Walsh of Philadelphia, class of '36, wrote: "—I am proud that the College has not allowed racial prejudice nor false social values to stand in the way of its principles—."

Mrs. Marshall Smelser of St Louis, graduate of Maryville College, wrote: "Congratulations to Manhattanville on its brave action for interracial justice. It seems peculiarly fitting that pioneers n this field should be those especially dedicated to the Heart that has so loved men—not just white men — Tell me what words I can add to my prayers for the success of your undertaking."

Henry H. Regent, S. J. librarian, St. Louis University, wrote: "My contacts with Negroes during the past fifteen years have convinced me that we simply cannot hope to develop any Catholic lay leaders in their midst unless we give them an opportunity to fit themselves for leadership in our own Catholic institutions of higher learning. I shall hope and pray that your example will find imitators everywhere in the United States."

PICKETS FORCE REMOVAL OF JIM-CROW SIGN

NEW YORK, Sept. 8 — (CNA — A two-hour picket line by the Fifth A. D. Communist Party club this week forced the white landlord of two houses in the San Juan neighborhood to remove a sign labeled "For White Only."

A few months ago the landlord, George McCullough, of 401 W. 48th st., ordered all Negro families out of 423-425 W 52nd st. The houses were completely remodeled and modernized. The landlord then considered them "too good" for Negroes.

Discrimination was even extended to a Negro ice man who was not permitted to service the white families who moved in and Negro children were not permitted to play in front of the houses, according to Pauline Rogers, white Communist candidate for State Assembly from the Fifth A. D., who led the picket line.

The Communists, who were aided by the Negro families on the block in protesting the jim-crow policy, announced they would return if the policy was continued.

METROPOLITAN EXPLAINS NEW NEGRO POLICY

NEW YORK, Sept. 22—The Metropolitan Life Insurance company, which has written millions upon millions of dollars of insurance upon Negroes in this country, is not soliciting any business from Negroes in New York state.

Charles G. Taylor, Jr., second vice president of the company, has written the National Assso-ciation for the Advancement of Colored People:

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The N. A. A. C. P., so far, has had no complaints about treatment of colored people who apply to district offices. It is not known whether they are having any extra difficulty securing the same types of policies as are issued to whites.

It has been known for years that some insurance companies have refused to sell certain types of policies to Negroes, no matter how qualified Negroes might be to purchase same. It was this policy which prompted Assemblyman Stephens to sponsor his law in the 1935 legislature outlawing jim crow treatment.

Brooklyn Hospital Charged With Racial Discrimination

Mother Says She Was Made To Bear Child Without Aid; Not Notified of Death of Baby; Commission Investigates

Special to Journal and Guide

NEW YORK CITY—Charges that a Negro mother was allowed to give birth to a child in a Brooklyn Hospital without the attendance of a physician and a nurse were recently filed by the mother with the New York State Temporary Commission on the Condition of the Urban Colored Population. It was further charged that the child, which died, was buried without either of the parents being notified.

In her charges Mrs. Rhoda McConnell, 415 Hancock Street, Brooklyn named St. John's Hospital. Investigators for the commission probed the charges while they prepared for a second public hearing in Brooklyn where sensational charges have been filed against the hospital system.

The investigation in Brooklyn is continuing and the commission is broadening its program by inaugurating a social and economic survey of the colored residents of Dutchess County.

According to Mrs. McConnell, she entered St. John's Hospital on September 5 and gave birth to her baby in the maternity ward there, unattended by a physician or a nurse.

Not until the burial of the baby two weeks later, she charged, did she learn that the infant had contracted pneumonia, been transferred to Kings County Hospital without her knowledge and succumbed to the illness.

While these charges were being investigated from the local office of the commission, Dr. Charles L. Franklin, research director, and a staff of field workers traveled to Poughkeepsie where a social study has been inaugurated in Dutchess County.

The upstate survey began last week when Gerald E. Allen and Dr. Franklin visited Poughkeepsie to map out the work in the county and to begin the organization of a bi-racial citizens committee which will cooperate with the commission.

A similar committee was organized in Brooklyn last month under the chairmanship of Attorney Malcolm Martin and was active in furnishing information for the first public hearing there. Still assisting in the preparation of material for the second Brooklyn hearing, the Brooklyn Citizens Committee met last Wednesday evening in the Ashland Place Y. W. C. A. to receive Mr. Allen's report on the first phase of the investigation.

Miss Frances Phillips, office manager of the Brooklyn section of Placement and Unemployment Insurance addressed the assemblage on the function and place of a public employment office in helping to alleviate the problems of a community.

RACE EMPLOYMENT

The Dutchess County study will encompass a survey of conditions in four State institutions located in the Poughkeepsie vicinity—the Hudson River State Hospital there, the Wassaic State School at Wassaic, the Matewan State Hospital at Matewan, and the Harlem Valley State Hospital at Wingdale.

The employment of Negroes on the staffs of these various State institutions, as well as the number and treatment of Negro inmates will be studied by the field workers under Dr. Franklin. The wider investigation will also include the treatment of Negroes by the public utilities and private employers as well as housing, recreational and educational facilities in the community.

State Senator Jacob J. Schertzwald of Brooklyn is chairman of the commission and Assemblyman William T. Andrews of Harlem is vice-chairman. Father Michael Mulvey of St. Mark's Catholic Church is secretary. Prof. Lewis Mayers of City College and William Pickens, Jr., are associate counsel for the commission which maintains offices at 150 Nassau Street, Manhattan.

STUDENTS STRIKE TO PROTEST INSULT PUT IN NEWSPAPER

Oyster Bay, L. I., Nov. 11 (ANP)—Three hundred students of the village high school at Oyster Bay last week staged a strike to determine the identity of unnamed taxpayers who was reported to have said the high school was "too good" for Negroes, Italians and Poles attending it.

The statement causing the trouble, was published in the Oct. 20 issue of the Oyster Enterprise-Pilot, a weekly newspaper, in a report of a taxpayers' meeting. Dr. Myron [illegible] alleged to have been made, is reported to have said at the meeting that he did not agree with any one who said the high school "was too good for Negroes, Wops and Poles."

The strike was called last Monday morning, and students refused to attend classes until a committee chosen from their ranks had been selected to investigate the source of the alleged statement. The committee met with Gleen G. Halladay, principal, and Leon Deming, superintendent of the school.

Survey Shows Rochester Has Racial Bias

ROCHESTER, N.Y. — Widespread discrimination against colored residents in upstate New York communities—long obscured by the much publicized conditions in Harlem—was shown, to extend to this city as the Temporary Commission on the Condition of the Urban Colored Population pushed its legislative investigation last week.

Following a two-week survey of the situation here, investigators for the commission indicated that revelations in Rochester might equal the startling story unearthed by public hearings in Syracuse—where the colored inhabitants were shown to be miserably housed, consistently barred from private and public employment and isolated from the economic life of the community.

Both Syracuse and Rochester were strongholds of the abolitionist movement prior to the Civil War, and the latter city was one of the most important stations of the underground railroad which spirited thousands of slaves to freedom in Canada.

Smash Jim-Crow In Skating Rink Policy

NEW YORK.—(CNA)—A long step towards smashing race discrimination at the roller skating rinks of this city was taken this past Sunday. In a successful test case, two Negro couples skated the session out at the Brooklyn Roller Skating Rink, Nostrand Avenue and Empire Boulevard, after their refusal to pay extra charges that the management endeavored to pack on.

A spontaneous protest of many white skaters against the discriminatory action forced the management to change their attitude. From surly, ill-tempered treatment, the rink personnel, after the storm of protest arose, backed down and politely saw to it that the colored couples were properly taken care of—a victory that was noticeable in the many friendly smiles that were extended to the two couples by the white skaters on the rink.

The test case was arranged by the Daily Worker in cooperation with James Allsbrooks, a member of the City Civic Affairs Committee of the National Negro Congress Youth Federation, after the receipt of a letter by the Daily Worker protesting the bigoted policy of racial discrimination at this rink.

In an interview with the rink-owners, a Daily Worker reporter was told that they did not discriminate against anybody but that the crowd "objected to Negroes" and "roughed" them up when they started onto the rink floor.

The only roughing that actually occurred was the roughing given directly by the management who sought to discourage the two Negro couples by poor service.

The rink management's trump card struck a snag when it was exposed by many indignant white skaters. Eunice Johnson and the other Negro skaters were asked for additional quarters for the services of clamping the skates on the shoes. The couples objected to this charge.

"Don't give it to them, that's all free, I didn't have to pay," spoke up Evelyn Douglass, one of the white onlookers who was attracted by the discussion. "I forgot to ask you," alibied one of the employes, a statement which was quickly denounced by another white woman who said, "That's a lie, I didn't pay either, and neither did my friend. You can tip a nickel or a dime, but that's voluntary."

When a dozen white skaters began to remove their skates in protest, the management backed down and ordered that the colored couples be given service.

"It is about time that we clear house in the Northern states," Allsbrooks commented, "and today's victory against Negro discrimination. The Daily Worker's cooperation and fight against Jim-crowism is one that the Negro people appreciate.

North Carolina

Discrimination-1938

'No More Equal Parts' Says Theatre Ass'n

Defender 1-29-38 Chicago, Ill.

Race Citizens Plan State-Wide Boycott Of Prejudiced Houses

By HENRY CROSS

RALEIGH, N. C., Jan. 28—"They shall not pass" may be paraphrased into the phrase, "We will not pass," according to a militant stand taken by prominent men and women, college students, ministerial organizations and civic bodies in North and South Carolina.

Hollywood, moving picture capital of the world, has reached the sensible heights of realism in productions in using characters native-ly fitted for the characters of the story. For example: If there is a story of French life, then producers use real French characters rather than faking characters of Italian or Irish descent or birth to play parts in a field totally foreign to their knowledge and experience.

Now comes the eminent theatre owners, white, of "North and South Carolina, Inc.," rising in their might and short-sighted prejudices and declaring in a resolution passed at their silver anniversary meeting that henceforth no pictures will be used in which white and black characters are given 'equal parts" in the same picture

Then, these high and mighties go forth in their segregated money grabbing selfishness and proceed to seek black business with totally white pictures. "That day is gone forever," say the sepia theatregoers. "You can have your white pictures," they say, "and you can likewise have your segregated theatres. We will not attend. How do you get that way"

Citizens and students from A. and T. College and Bennett college recently held a militant public gathering in Greensboro at Trinity A. M. E. church and declared in open meeting that "you can't ram that narrowness down our throats."

They declared that the white South for decades has sought to close the "Door of opportunity" in the face of our prepared men and women; and, now, when new fields are opening in a world-wide business for the use of talent, the prejudices of the whites is asserting itself most obnoxiously and senselessly.

For yielding to this very type of narrowness scores of men and women are unable to get on nationwide radio commercial programs for the same reason. Ethel Waters, Louis Armstrong, Duke Ellington, Cab Calloway, and others on commercial programs have had contracts terminated summarily by big national concerns simply because a few narrow whites from the South write letters into the sponsors and declare: "If you use Negroes on your commercial program we will not purchase your products."

The modern black people of these states, North and South Carolina, as well as states of Georgia, Florida Louisiana, Texas, Arkansas, Virginia, Mississippi, Arkansas are determined to take the same stand as the people here and stay away from the shows that fail to "tote fair." There is no way whatever to force patrons to go to theatres and spend their good, hard-earned cash. "We will get our entertainment solely over the radio," said one man known to be a regular patron. That spirit has caught fire. The white South, in all fields, wishes black business and money. If these people do not go to theatres the annual loss in cash will run into several millions of dollars.

Now an opportunity will be given to note how long white prejudice is going to push from the segregated windows of the South black dollars that cause the theatre owners, of North and South Carolina, Inc., to meet in hotels where black people cannot go in the front doors or use elevators, and pass resolutions of contempt.

White And Negro Students In Boycott Move

Baltimore Afro-American 2-3-38

GREENSBORO, N. C., Jan. 27—(CNA)—More than 1,000 students of Bennett and A. & T. colleges in Greensboro have joined a boycott movement against white theatre owners that have gone on record opposing the appearance of Negro in movies "out of character."

On Dec. 7, a convention of "The Theatre Owners of North and South Carolina, inc.," passed a resolution that said in part:

"Resolved: That the convention goes on record in disapproving the appearance of Negroes in scenes with white people on an equal social basis."

The Bennett College Chapter, American Students Union, answered this resolution with a resolution of their own calling for a boycott of all movie houses affiliated with the association. The movement has spread and a united boycott committee has been formed involving student groups at several colleges and local organizations representing over 1,000 people.

A. S. U. chapters at Duke, Chapel Hill and Shaw University have joined the movement and are helping to make the boycott state-wide.

The Post, a local paper, has refused to carry ads of the movie houses that are members of the association. Leaders of the boycott movement have expressed determination to continue the boycott until the theatre owners withdraw the opposition to the appearance of Negroes on the screen in any but the traditional stereotypes.

Greensboro, N. C., News
January 23, 1938

THE "RIGHT" WAY.

Editor of The Daily News:

A few days ago several negro college students passed out circulars requesting negro residents of our city to boycott certain theaters, as a reprisal against certain resolutions adopted at a recent meeting at Pinehurst, N. C., in regard to negroes taking parts in pictures that were to be shown in southern cities.

While I think the actions of the theater owners were uncalled for, I know the actions of the students were unwise. To prove my contention, I will recite a few incidents of how intelligent negroes deal with questions of like nature.

Several years ago when our new passenger station was built, the negro taxi companies were not allowed to park their cars on railroad property. A negro wrote Mr. Fairfax Harrison, then president of the Southern Railway company, in regard to our grievance. Mr. Harrison replied setting a date when and where his superintendent would meet our committee. The meeting of two negroes and one white citizen was held ,and today the negro cabs park at one entrance and the white at the other.

A veteran of the local bar met a negro in the old post office one day, and to him said: "It is a shame for your people to let the courts railroad a certain negro to the electric chair like they have this man who was charged with killing a white man." One negro paid the expenses of a young white attorney to Raleigh, and a small sum was raised to pay this attorney who secured a life sentence for the condemned man.

My favorite newspaper used to print only the names of white people in the vital statistics column. Look at your paper today and see for yourself. The threat of a boycott did not do this, but a polite letter to the editor stating that we desired to see the names of [illegible] group, did the work.

Two wrongs can never make one right. We are not in position to take drastic action against any group in order to help another part of our group in other parts of the country, when we cause our own citizens to lose their jobs.

If the entire south would fail to attend a "Step-'n-fetchet" production, I doubt if he would ever be aware of it. But if the entire negro theater going public stay away from two of our theaters, from four to six negroes will be out of employment. Are we willing to make this sacrifice just because a few college students feel that they have something to resent?

I think Greensboro negroes are capable of handling their own affairs without importing a "Buller" from the Bull City to preside over their so-called mass meetings.

E. L. LEE.

Greensboro.

DUKE UNIVERSITY URGED TO DROP COLOR BAR

New York, Oct. 26—Duke university of Durham, N. C., has been urged to continue the precedent established by the University of North Carolina three years ago, of refusing to draw the color line in football, when southern schools come north to play and meet up with a colored player in the lineup.

The letter said in part:

"If Duke will play Syracuse without raising any question on Sidat-Singh, either openly or through a 'gentlemen's agreement' between coaches, it will be strengthening a new, sportsmanlike and sensible development in athletic relations between the north and south.

"For three years the University of North Carolina football team has played New York university in New York, and for those three years New York university has had a regular backfield man, Edward Williams, a colored boy. There has been not the slightest friction in the three games."

Discrimination-1938

Ohio

Beat Jim Crow

CHESTER K. GILLESPIE CLAYBOURNE GEORGE

TWO of Cleveland's outstanding lawyers and leading citizens who were refused office space in a downtown building because of color. They protested vigorously, and the Cleveland Bar Association came to their aid. They finally succeeding in smashing the ban for others who may desire downtown office space. They are located at 241 Euclid Avenue.

HOTEL DENIES KAPPA VISITOR ACCOMODATION

The definite managerial policy of the Hollenden Hotel to refuse accomodation to Negroes was again evidenced during the Christmas holidays, according to the petition in a civil right suit filed by Attorney Chester K. Gillespie in Municipal Court on behalf of Elmer V. Moses of St. Louis, Mo., delegate to the annual convention of the Kappa Alpha Psi Fraternity which met in Cleveland.

According to Atty. Gillespie's petition, Mr. Moses arrived here on Dec. 26 and went to the Hollenden to register. He was refused accomodation.

In a letter to the "Come-to-Cleveland Committee" under date of Dec. 30, Gillespie puts the committee on the spot, requesting that leaders of the committee request the Hollenden to change its policy. The letter says in part:

"Mr. Elmer V. Moses of St. Louis, Missouri, arrived in Cleveland on December 26 to attend the annual convention of the Kappa Alpha Psi Fraternity. The Hollenden Hotel refused to rent him a room.

"That same day, after the matter was brought to my attention, I called the Assistant Manager of the Hollenden and he approved the action of the Room Clerk and stated that it was the policy of the Hollenden Hotel not to afford accomodation to colored people.

"Today this office instituted suit against the Hollenden Hotel under the Ohio Civil Rights Law.

"This year, especially, you had large bill-boards around this city urging Clevelanders to invite their conventions to come to Cleveland. We took you at your word and acted accordingly."

REFUSED SERVICE

The Union 5-12-38

DOW'S DRUG STORE MANAGER SUED !

James M. Webster, secretary of the Negro Youth Civic Association, filed suit against Harry Rauch, assistant manager of the Dow Drug Store, N. W. Corner of Gilbert and McMillan streets, Sunday, April 24, 1938.

Mr. Webster charges that he entered the cafeteria of the Dow Store and was promptly told by the clerk and manager, "WE DO NOT SERVE COLORED HERE."

Mr. Webster then informed the manager that in a recent interview with the vice-president of the Dow Drug Company, Mr. Utterbein, he had been assured that there would be no discrimination against people of Color. The store manager, Mr. Rauch, professed to have heard nothing to this effect and ended with the statement, "Even though Mr. Utterbein is the vice-president of the Dow Drug Company, I am manager of this store and it just doesn't go here."

Mr. Webster and his companions, Thomas Bedford and Clemont Hawkins, quietly rose and left the store. Upon reaching the sidewalk they accosted a policeman and explained their complaint to him. The officer refused to reenter the store as a witness, but advised Mr. Webster and his companions to obtain a warrant for the manager's arrest. This Mr. Webster did.

Trial is scheduled for June 16, 1938, in the Hamilton County Court House with Judge Spraul on the bench.

CLEVELAND PHYSICIAN SUES HOLC; SAYS SAIE OF HOME DENIED BECAUSE OF RACE.

Cleveland, Ohio,-May 27---Charging racial discrimination in the refusal to complete a contract of sale for a residential property he was seeking to purchase, Dr. Ira B. Scott, prominent physician here filed suit this week against the Home Owners' Loan Corporation. Through his attorneys, Normal L. McGhee and Augustus G. Parker, representing the Cleveland branch of the National Association for the Advancement of Colored People, Dr. Scott is demanding specific perfarmance of the contract of sale and for court order restraining the Home Owners' Loan Corporation from conveying the property to persons other than Dr. Scott pending trial.

In hispetition, Dr. Scott sets forth that he had complied with all the terms and conditions of the agreement and had made payment of the deposit demanded in connection with the sale.

Attacks Denial of Sale.

Despite this, he charges the officials of the Cleveland District office of the Home Owners' Loan Corporation have failed and refused to comply with the terms of the agreement and to deliver possession of the property to him. Dr. Scott declared in his petition that "this failure on part of the corporation was due to racial discrimination violative of the constitution and laws of the state of Chio and the laws of the United States."

He further declares that it was "part of a scheme to defeat citizens of African descent of their lawful rights and to fasten upon them a badge of infericrity inconsistent with democratic institutions and the letter, spirt, and purpose of the laws of the land."

Attorneys for Dr. Scott declared Monday that they are determined to push the case to the limit and are seeking an early hearing on a motion for a temporary restraining order enjoining the Home Owners' Loan Corporation from disposing of the property. They will seek to compel the Home Owners' Loan Corporation to convey the property in accordance with the terms of the contract entered into with Dr. Scott.

Defender
May 28, 1938
Chicago, Ill.

Whites Fined in Cleveland Swim Pool Attack Case

Bee
10-23-34
Chicago Def.

CLEVELAND, Oct. 20—Pleading guilty on charges of disorderly conduct growing out of the attack on three Negro bathers at the Woodland Hill's swimming pool on Aug. 8, five whites were each fined $25 and costs Saturday by Judge Jacob Stacel of the Municipal court. The fines were suspended following a leniency plea in their behalf by their counsel, and they were placed on probation for three months by the jurist.

The five were Frank Embrosia, Robert Martin, Frank Ruskay, Joseph Szucz and Bennie Sohoky, who after first demanding a jury trial through their counsel William Weiss, white, waived it and entered a plea of guilty. Perry B. Jackson, prominent leader in Negro Elk circles and the Republican party, was prosecutor.

Judge Scores Incident

Warrant were issued against the quintet upon affidavits sworn to by Raymond Hightower, one of Cleveland's well known citizens. Hightower, a postal employee for several years, went to the swimming pool with his son, Theodore, and a neighbor boy. Judge Stacel, after listening to the evidence and before pronouncing sentence, criticized the defendants for nearly precipitating a riot and stated that all citizens alike were entitled to the use of all city public pools.

Discrimination - 1938

Ohio

Kappa Envoy Sues Hotel

CLEVELAND—(ANP) — The managerical policy of the Hollenden Hotel in downtown Cleveland to refuse accommodation to colored people was again evidenced during the holidays, according to the petition in a civil rights suit filed by Chester K. Gillespie in municipal court on behalf of Elmer V. Mosee, of St. Louis, Mo., delegate to the annual convention of the Kappa Alpha Phi Fraternity which met here.

According to Mr. Gillespie's petition, Mr. Mosee arrived here on December 26 and went to the Hollenden to register. He was refused accommodation. In a letter to the "Come-to-Cleveland Committee" under date of December 30, Mr. Gillespie wrote:

"This year you had large billboards around this city urging Clevelanders to invite their conventions to come to Cleveland. We took you at your word and acted accordingly. We do not believe the policy of the Hollenden meets with unanimous public approval. Its refusal to accommodate our delegates proved to be exceedingly embarrassing to us. The policy is quite ancient."

ANOTHER JUDGE APPROVED ON CIVIL RIGHTS LAW

As has been stated many times in the editorial columns of this newspaper, The Cleveland Guide will wage political war with any judge who fails to do his part in enforcing Ohio's Civil Rights law, and will give sincere support to those judges who render a just decision in these cases.

We are familiar with those judges who had enforced the law in rendering decisions where evidence warrant it, and we are familiar with those who have not. There are, however, some judges who have not had an opportunity to try a Civil Rights case. There seems to be, however, only one judge who has failed in giving punishment when evidence was presented. This man was the former judge David C. Mack. The editor of The Cleveland Guide had the manager of a downtown restaurant arrested for refusing him service. The criminal case which came before Meck was discharged. When Judge Meck ran for reelection he was defeated. The editor of the Guide was against him for reelection.

Among those judges who deserve credit and have the support of The Cleveland Guide for their stand in these cases are Judge Lee E. Skeel and Judge Oscar C. Bell. Another judge has been added to our favorable list. She is Judge Lillian Westropp. A few days ago Judge Westropp awarded a judgement of $200 to Elmer V. Moses of St. Louis, who was refused service at Hotel Hollenden.

While we are interested in the enforcement of the Civil Rights law, we also are interested in seeing larger judgements in these cases when the defendant is found guilty. No judge has given a decision of $500, which is the maximum. One judge, however, has given more than any other. Judge Skeel awarded Perry B. Jackson $275. when he was refused service at the Hollenden Hotel. Judge Westropp now comes forward with the next highest award. Judge Westropp's decision awarded $100.

The imposition of a much larger fine will help prevent additional offenses, and thereby aid in the enforcement of this law.

The Civil Rights law must be enforced in Cleveland, and The Cleveland Guide proposes to continue its fight for that enforcement.

Discrimination- 1938

Oklahoma

Colored, Whites Tear Racial Bars

OKLAHOMA CITY, Okla. — Four hundred colored and white students attending the three-day convention of the National Youth Congress, which met in the State capitol Wednesday, threw the color line overboard and smashed tradition right and left.

The purpose of the meeting was to familiarize young persons between 16 and 25 with legislative procedure and to conduct a model legislature free from racial, religious, and political prejudices.

Urges Race Equality

Bob Capshaw, white, candidate for the speakership, waged a campaign on race equality and promised to appoint colored office holders" to important posts if he were "elected."

Capshaw was elected in a hotly contested race and promptly appointed Bob Armstrong, Langston U., student, floor leader, and Miss Freda Williams, Oklahoma City, chairman of recreation, crime and delinquency commission.

Judges Uphold Okla. Jim-Crow School Law

MUSKOGEE, Okla., (ANP).—Sitting en banc as a federal tribunal, three judges—Judges Williams, Rice and Murray—Wednesday, handed down a decision upholding the State separate school law, which presumes to provide equal facilities for colored and white schools.

10-22-38

Following the decision of the Federal judges it was announced that both sides in the controversy were prepared to carry the case to the U.S. Supreme Court for a final ruling. If that court's decision is favorable, a body blow will have been struck at the jim crow schools system of the entire South.

Discrimination—1938

Pennsylvania.

J.C. Insurance Meant Insurance Against J.C.

afro-american 2-5-38 Baltimore, Md.

To the Editor of the AFRO:

In the AFRO-AMERICAN of January 29 on page 22 you published a picture showing two of our leaders signing a contract which struck a blow at Jim-Crowism at the Fort Pitt Hotel in Pittsburgh. But unfortunately, and I feel sure it was unintentional, the caption over the picture was entirely in variance with the story. The caption read "Jim-Crow Insurance."

While you undoubtedly meant that our action was against Jim-Crow, the direct implication is that the International Workers Order is a Jim-Crow insurance benefit organization.

The International Workers Order from the first day of its existence has had as a cardinal part of its program that there should be no discrimination because of race, color or creed. It is one of the few fraternal societies which admits white and colored into the same lodges on equal basis. We believe that discrimination is a social menace which not only injures the colored people but also does harm to the white people.

Two outstanding race leaders, Louise Thompson and Samuel Patterson, are on our national executive committee; and Miss Thompson, in addition, is director of English branches consisting of 15,000 members both colored and white.

Our refusal to sign a contract with the Fort Pitt Hotel to house our convention there, unless they drop discrimination against our colored delegates is an instance of our stand.

SAMUEL ROBERTS
National Education Department

Barred From Pool Beause Of Race He Wins Damages

Cleveland Ohio

NEW YORK —(CNA— A verdict of $500, the full amount allowed under the New York Civil Rights law, was awarded to Harry Ashley, of 2800 Bronx Park East, this city, in a civil action against the management of the Bronxdale Swimming Pool, Bronxdale Avenue near White Plains Road, The Bronx.

Ashley, a former instructor in chemistry at Temple University, sued the management of the pool when he was barred from the pool last July. White witnesses for Ashley testified that he was barred because he was a Negro and that the management had followed a consistent policy of racial discrimination for several years past.

Reading Negro Wins in Hotel Bias Trial

Pa. Equal Rights Law Upheld in Case of Alliance Negro

READING, Pa., Aug. 31.—The Grand Jury here today presented a true bill to Willie Morrison, Negro vice-president of the Workers Alliance, who is prosecuting a prominent hotel keeper for refusal to serve him at the hotel bar.

This represented a significant victory for the Negro people here, as this was the first test case in Reading of the Pennsylvania Equal Rights Law. The case so far has been marked by intimidation of one of the witnesses, efforts to prove that Morrison and the witnesses were drunk, and also by the support given Morrison by the Communist Party, the Workers' Alliance, the NAACP and local ministers and progressives.

The trial will come up in two weeks.

Night Club Manager Resents Insult To Louise Beavers

Clevelander

White Proprietor Has Cashier Refund Money of Customer Who Protested Film Star's Appearance At Philly's Morocco Club.

PHILADELPHIA, Feb. 17—The presence of Louise Beavers, star of stage and screen, in a gay party here at the Morocco Club Sunday night is currently the chief topic of discussion among white nocturnal nite prowlers who are sole patrons of this swank nitery.

2-19-38 Pittsburgh Courier

Attending the nitery Sunday night a week ago, accompanied by Harry Slatko, manager of the Nixon Grand Theater; Henry Sonenshine, Eastern representative of the Million Dollar Productions, Inc., and William Roland, famous international producer of such superb musicals as "Moonlight and Pretzels," "Sweet Surrender," "Take a Chance," and countless others, Miss Beavers' presence was resented by a constant patron who complained to the management of the club for allowing any member of the colored race in the spot.

Up until that time, Miss Beavers was the center of attraction. After receiving a great ovation when introduced, she was stormed by autograph seekers who kept her "write hand" busy the entire evening. Therefore, aware of the good the star was doing for his place, the management after entertaining the complaint of this one white customer, ordered his cashier to refund his money and made it known to him that neither he nor others of his kind were wanted in his place.

Here to make a personal appearance with her first all-colored starrer, "Life Goes On," Miss Beavers scored a great success with Philadelphia's theatergoers, both on stage and screen.

Hotel Rejects Two Goodman Band Members

Indiana

Teddy Wilson And Lionel Hampton Barred From Hotel

3-10-38

PLACE IS "FILLED"

Protest Of Leader Of No Avail; Duo Are Stars Of Band

Philadelphia

All of Benny Goodman's tolerance didn't mean a thing to a local hotel which last week refused accommodations to Teddy Wilson and Lionel Hampton, ace members of the swing-master's band.

The band played an engagement here and the two men, pianist and vibraphonist, applied for rooms with the rest of the orchestra. Rooms could be found for the white members, but when it came to the two Negroes, the hotel clerk found that the place was "filled" and suggested that they go to the Douglass Hotel, Broad and Lombard streets.

Despite the protests of the leader and the other members, the hotel refused accommodations and the two stars were forced to seek quarters at the Douglass. Hampton was accompanied by his wife.

QUARTET MEMBERS

The two musicians are best known as members of the Goodman quartet, which includes the band leader as clarinetist and Gene Krupa at the drums. They have appeared frequently in movies, and do feature acts in the regular program of the band. There is also the Trio, which includes Wilson, Goodman and Krupa.

Invitations to spend the week in the homes of several white and colored families were extended Wilson and Hampton when news of their rejection at the hotels became circulated.

Krupa was reported to have withdrawn from the band as a result of salary troubles. He will organize a band of his own.

LAWYER FEARS HE CAN'T WIN

JIM CROW SUIT

DARBY, Pa.---Mrs. Florence Slater of Dayton, Ohio, who was forced from the Darby Theatre, Monday, was advised by her white attorney that though she could bring action against the management of the theatre for violating the Pennsylvania Equal Rights Law, in all probability she would lose the case.

Mrs. Slater, who conferred with the lawyer, Wednesday, stated the counsel told her that in the two cases which had been tried for violation of the law, both had been lost and that the plaintiffs had been compelled to pay the court charges.

Juries Unfavorable

She quoted counsel as saying that the juries in Delaware County are not in sympathy with the State Equal Rights Law and that more than likely she would lose the case. However, he said he would be willing to take the case without any cost if only to help obtain a moral victory.

"He stated that I might sue the theatre for damages to person and if they refused to pay, then we would take it to court on the violation of the Equal Rights Law basis. He wrote a Mr. Schumann, the purported owner of the theatre but to date we have received no reply," Mrs. Slater said.

Afro-American. 7-16-38.
Baltimore, Md.

Reading Jury To Test Equal Rights Statute

First Case on Law to Protect Negroes Set For Court Hearing

(Special to the Daily Worker)

READING, Pa., Aug. 29. — The first case of the Pennsylvania Equal Rights Bill is coming up before the Grand Jury here today. The case involves jim crow treatment received by Willie Morrison Negro vice president of the Workers Alliance of Berks County.

On June 9 Morrison, in company with Harris Brown, president, and Edward Weand, secretary of the Workers Alliance, was refused service in a hotel at 464 S. 6th St. owned by George Lucas. A warrant was issued for Lucas' arrest and he is now out on $500 bail.

The case here has aroused the interest of the entire Negro population as well as of all progressives generally. Local officials seem to have been surprised, as jim crow policies and Negro discrimination are quite rife here. It is the first time that a Negro has taken action against these practices.

Already, one of the witnesses has been subjected to intimidation by Judge Paul N. Schaeffer, reactionary Democrat, who is President Judge of the Berks County Court of Common Pleas. It is this same Judge Schaeffer who was instrumental in trying to crush the great Berkshire Hosiery strike here, thus repaying the $20,000 campaign contribution put up for him by the Nazi - supporting owners of the Berkshire Mill, Ferdinand Thun and Henry Jannsen, leading figures in the Liberty League of Pennsylvania.

The prosecution of this case up till now has only been possible because of the support given by the Communist Party, the Workers Alliance, the N. A. A. C. P., trade union leaders, etc.

Assails Vann on Medical Training

Guffey Said He Wanted Only One Colored at University

By Staff Correspondent

WASHINGTON

Robert L. Vann asked United States Senator Guffey to assist in getting one colored boy admitted to the medical school at the University of Pennsylvania.

When Mr. Guffey wrote Mr. Vann offering to recommend the admission of a large number of colored boys to the various medical schools throughout the State, the Pittsburgh publisher refused to reply, Senator Guffey charged this week.

The Senator's letter to Mr. Vann follows:

Dear Bob:

I wish you and Ira Lewis would both read "A Southerner Discovers the South" by Jonathan Daniels as well as an article by Surgeon General Thomas Parran, published in the Survey Graphic of April 1, 1938.

Should you not be able to secure a copy of this paper, if you will send a word to General Parran, he will certainly send you one.

Both Daniels's book and the article by General Parran have to do with the problems, not only of your group but my group in the South as well as in the North.

Confirmed Opinion

I am writing you this letter because the last favor you asked me was to get one of your group admitted to the medical school at the University of Pennsylvania.

If I had any doubts as to the wisdom of the number of your group studying medicine, I am now ready to admit my error after reading these two articles.

It has occurred to me that possibly we can help in this matter by getting Charles Alvin Jones committed to a program of specifying a certain number of colored boys to be admitted to the respective medical schools in Pennsylvania that receive State aid.

Later on, I am sure we can include, if we get this through, the necessity of training colored girls for trained nurses, as I see the necessity of having more and better trained doctors and nurses from your group.

Asked Conference

I expect to leave France on the 7th, arriving in New York about September 15th, and and shortly after my return home I shall arrange to discuss these matters with you and Ira and any other of your group that you think it advisable to include.

The necessity of this has made a great impression on me since reading these two articles.

As I only have a few years left, I am anxious to make the most of them and of my influence in assisting your race and helping solve some of their problems.

I am leaving here next Sunday to go to the Hague, where I shall stop at Hotel des Indes, Lange Voorhout 56, and shall remain there from the 21st to the 28th inclusive.

After visiting Belgium and Holland, my sister and myself will return to Paris, where we shall remain until our ship sails. You can reach me there, in care of the American Embassy.

With kind personal regards believe me,

Very sincerely yours,

The letter was written in France, and Mr. Vann cabled the Senator that he would meet his ship at sea and accompany him to shore. Arrangements were made for Mr. Vann to do this, Senator Guffey said, but Mr. Vann didn't show up.

"Couldn't Face Him"

"He couldn't face me," Senator Guffey said. "I had heard about Mr. Vann talking. He had planned to go back on his friends, and he knew that I knew. Instead of meeting my ship as he promised, he called me on telephone from some hotel and gave his excuses.

"I had planned to discuss with him the contents of my letter. If Vann had been sincere he would have either met me and discussed the matter or sent me a reply. He did neither."

EMORY J. SAUNDERS

Cafe Manager Charged With Jim Crow Bar

Accused Of Violating Equal Rights Law; Held For Court

Charged with violation of the Equal Rights Law, Henry Veloches, white manager of a restaurant in the 6500 block of Germantown avenue, was held in $1,500 bail for court, last week, by Magistrate Edward W. Henry.

Veloches was arrested on the complaint of Emory J. Saunders, 709 S. 45th street, electrical engineer and technician employed by the Executone Inter-Communicating System.

Saunders said that he, accompanied by his employer, Dr. John L. Baker, white, of 51st street near Catherine, ordered lunch in Veloches restaurant, but was refused service, because of his race.

According to Saunders, Veloches told him "You are in the wrong place. We don't serve n——s." Dr. Baker corroborated his accusation.

Veloches, however, denied making such a statement. He admitted that a sign was posted in the restaurant, stating: "We cater to white trade only."

Dr. Baker told the court that he was backing Saunders to the limit.

Discrimination—1938

South Carolina

Lexington, S. C. Dispatch-News
September 1, 1938

NEGROES AND STATE COLLEGES

In southern and border states negro students have been applying for admission into state supported colleges the last five or six years. In North Carolina a negro sought to enter the school of pharmacy of the state university, setting up that he was a citizen of the state and that it provided no other school of pharmacy. North Carolina evaded the issue by supplying funds for the youth to study in a school outside the state. Missouri, The News and Courier is informed, has been supporting negroes in colleges beyond the state. In Maryland the courts sustained the right of a negro to enter the law department of the state university, and he was admitted to it.

These cases were started before the federal government began to make grants and loans to state colleges, and its financial interest in them obviously complicates the question. Test cases might be made in federal courts—which courts may yet be packed—by negro students of one state asking admission to the colleges of another.

At this time a negro is applying for admission to the law department of the University of South Carolina. It will not be long before negro girls will present the issue in Winthrop. A campaign to break down race separation in the south is in progress in behalf of negroes; it is of course directed by northern negro societies and for the most part financed by them.

What is to be done? How shall the issue be met? The News and Courier's guess is that the federal grants to the southern state colleges have had the approval of northern negroes who are willing to "bide their time."

Assuming that the white people of South Carolina cannot be hired by money to tolerate mixed colleges, it occurs to The News and Courier that the way of safety would lie in grants by the Roosevelt administration of money for law, medical, pharmacy, all schools that the white colleges have, in the state school for negroes in Orangeburg. Soon or late the state will be compelled to provide the negroes with a university (it may be postponed a few years) or open the doors of the university in Columbia, the medical college in Charleston, Clemson, Winthrop and The Citadel to colored students.

Our people will insist on separate white colleges and will have them at any cost. If the millions of dollars that have been allotted by Washington to colleges in the state had been given for the establishment of a state negro school the white people would have been better served than by the building of dormitories and libraries for white institutions.

Separate colleges have got to be provided. Otherwise the white people will turn to private and church colleges, and The News and Courier admonishes the white people that they would better cherish these private colleges, giving them for endowment every dollar that they can spare, for the day may come soon when they will be the only refuge of white students in South Carolina.

A candidate for senator is saying that the negro question was settled in South Carolina in 1876. That is a measure of the ignorance prevailing in South Carolina. The question is now more serious to the white people than it was in 1876. Then the white people were united. Now they are divided. Every national political party is aggressively fighting the battles of the negroes. The new negro campaign is masked, insidious, resolute, adroit and ably conducted.—The News and Courier, Charleston.

Newberry, S. C. Observer
August 30, 1938

Solomon Blatt Declares U.S.C. To Keep Status

Issues Statement on Negro Applications to Enter Colleges of State.

Barnwell, Aug. 28.—Solomon Blatt, member of the board of trustees of the University of South Carolina and chairman of a committee of three lawyers appointed by the university to pass on the recent application of a Negro for admission to the university law school, gave out the following statement:

"Considerable interest has developed among the people of South Carolina in connection with the application of a Negro for admission to the law school of the University of South Carolina.

"The National Association for the Advancement of Colored People is taking an interest in this application and I am informed that similar applications will be made at Winthrop college, The Citadel and Clemson college.

"The matter of this application has been referred to a committee of three lawyers representing the university of which committee I am chairman. The white people of South Carolina need not have any fear as to what the outcome of this application is going to be. The board of trustees will do everything in their power to maintain the University of South Carolina for white students only and in so doing, will protect the other institutions for white students supported by the state.

"Similar situations have arise in other Southern states and this application will receive the attention that it deserves at the hands of those in control of the university."

Eufaula, Ala. Tribune
August 30, 1938

Carolina Negro Asks Admission To State School

BARNWELL, S. C., Aug. 30 (AP)—Application of a negro for admission to the law school of the University of South Carolina today held the attention of the board of trustees of the institution, one of whom issued a satement in which he said the board "will do everything in their power to maintain" the university for white students only.

The statement, made here by Solomon Blatt, member of the board and speaker of the South Carolina House of Representatives, said the board in so doing, will protect the other institutions for white students supported by the state."

"The Naional Association for the Advancement of Colored People is taking an interest in this application," the statement said, "and I am informed that similar applications will be made at Winthrop College, The Citadel and Clemson College.

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"The white people of South Carolina need not have any fear as to what the outcome of this application is going to be. The board of trustees will do everything in their power to maintain the University of South Carolina for white students only and in so doing, will protect the other institutions for white students supported by the state."

Mullings, S. C., Enterprise
August 25, 1938

Carolina Gets Application Of Negro Student

Columbia Record.

The application of a Columbia negro for admission to the University of South Carolina law school was before a special committee of the university board of trustees today.

The application was being held in abeyance for the present

The youth, Charles Bailey of Columbia ,set forth in a letter to Dean J. Nelson Frierson of the law school, to President J. Rion McKissick, and in a third letter to the board of trustees that he was a native of this state and an accredited graduate of Moorehouse university: That, as the state provided no scholarship to enable negro students to study outside the state, he was applying to the only state-supported law school for admission.

He received his bachelor of arts degree from Moorehouse university in 1932, he said, offering to submit his transcribed record for study by the board.

The applicant is 28 years of age and "of good moral character," he said in his letters.

The Society for the Advancement of Colored People, a national organization was understood to have been making inquiries in South Carolina concerning the educational facilities afforded negroes in the state.

What disposition will be made of the youth's application had not been determined today, pending action by the committee from the trustees.

Clover, S. C., Herald
September 1, 1938

NEGROES WOULD ENTER SCHOOLS

Apply To University, May Also Try To Enter Winthrop

No applications for admission to Winthrop College have been made by negroes, inquiry disclosed today

A request that a negro be permitted to enter the law school of the University of South Carolina has been filed, according to information from Columbia, and it had been reported that similar applications would be made at Winthrop, The Citadel and Clemson College.

In Barnwell, Col. Solomon Blatt, member of the University of South Carolina board of trustees and chairman of a committee of three lawyers appointed by the university to pass on the application by the negro, issued a statement on the question.

"Considerable interest has developed among the people of South Carolina in connection with the application of a negro for admission to the law school of the University of South Carolina," Mr. Blatt said.

"The National Association for the Advancement of Colored People is taking an interest in this application and I am informed that similar applications will be made at Winthrop College, The Citadel and Clemson College.

"The matter of this application has been referred to a committee of three lawyers representing the university of which committe I am chairman. The white people of South Carolina need not have any fear as to what the outcome of this application is going to be. The board of trustees will do everything in its power to maintain the University of South Carolina for white students only and in so doing will protect the other institutions for white students supported by the state.

"Similar situations have arisen in other Southern states and this application will receive the attention that it deserves at the hands of those in control of the university."

Anderson, S. C., Independent Trib
October 6, 1938

DANGEROUS TRENDS

Down in Columbia, according to numerous published reports, white employees of the Veterans Hospital mingled with negroes in the formation of a union, and actually elected two negroes as vice-presidents of the organization.

It was recently published that negroes were seeking admission to the University of South Carolina.

And one night this week, right here in Anderson, two negro football teams met and played a game on the grounds of the Junior High school — an institution of learning for white children.

Until such a time as the school district provides the negro schools of the city with adequately lighted football fields (the negroes have a good field at Reed street school) all negro games should be played at commercial parks. They have been handled this way in the past, with a section of seats reserved for any white people who care to attend the games.

The Junior high school, its grounds and facilities, are solely for the use of white people. The white people of School District 17 certainly do not approve of football games between negro schools, with the negro public invited to attend, taking place on these grounds, or on any other of the property of the white schools of Anderson.

We are not ready to repeal the Jim Crow law which requires negroes to ride in separate coaches in South Carolina, neither have we reached the point that negro school contests are to be welcomed on the grounds of our white schools. The students of Junior High would hardly welcome it, and we are confident their parents would vigorously oppose such arrangements.

It is a dangerous trend. The journey of a thousand miles starts with only one step, and the day is not far distant when negroes will be asking admission to the white schools of the city if these trends continue.

The time to stop this practice is right now.

South Carolina.

Discrimination — 1938

Carolina Negro Asks Admission To State School

BARNWELL, S. C., Aug. 29 (AP)—Application of a Negro for admission to the law school of the University of South Carolina today held the attention of the board of trustees of the institution, one of whom issued a statement in which he said the Board "will do everything in their power to maintain" the university for white students only.

The statement, made here by Solomon Blatt, member of the board and speaker of the South Carolina house of representatives, said the board in so doing, will protect the other institutions for white students supported by the state."

"The National Association for the Advancement of Colored People is taking an interest in this application," the statement said, "and I am informed that similar applications will be made at Winthrop College, The Citadel and Clemson College.

"The matter of this application has been referred to a committee of three lawyers representing the university of which committee I am chairman.

"The white people of South Carolina need not have any fear as to what the outcome of this application is going to be. The board of trustees will do everything in their power to maintain the University of South Carolina for white students only and in so doing, will protect the other institutions for white students supported by the state. . . ."

of South Carolina has caused some of this State's liberals to ask the establishment of a State-supported colored university giving all the courses available for whites.

Bailey's application, made last week, was in the form of registered letters to the university trustees, president and dean of the of the law school. The university has notified him by letter that the application has been referred to the proper authorities.

Sees Drive for Equality

Commenting on this as well as on similar action in Missouri, Maryland and Tennessee by colored students, the News and Courier said editorially:

"At this time a colored man is applying for admission to the law department of the University of South Carolina. It will not be long before colored girls will present the issue in Winthrop.

"A campaign to break down race separation in the South is in progress in behalf of colored people; it is of course directed by Northern colored societies and for the most part financed by them.

"Soon or late the State will be compelled to provide the colored people with a university (it may be postponed a few years) or open the doors of the university in Columbia, the medical college in Charleston, Clemson, Winthrop and the Citadel to colored students."

Columbia, S. C. Record
August 23, 1938

The youth, Charles Bailey of Columbia, set forth in a letter to Dean J. Nelson Frierson of the law school, to President J. Rion McKissick,, and in a third letter to the board of trustees that he was a native of this state and an accredited graduate of Moorehouse university: That, as the state provided no scholarship to enable negro students to study outside the state, he was applying to the only state-supported law school for admission.

He received his bachelor of arts degree from Moorehouse university in 1932, he said, offering to submit his transcribed record for study by the board.

The applicant is 28 years of age and "of good moral character," he said in his letters.

The Society for the Advancement of Colored People, a national organization, was understood to have been making inquiries in South Carolina concerning ths educational facilities afforded negroes in the state.

What disposition will be made of the youth's application had not been determined today, pending action by the committee from the trustees.

DIXIE COLLEGE HEAD TO KEEP SCHOOL "SAFE"

U. of So. Carolina for 'Whites Only'

BARNWELL, S. C., Sept. 8—(ANP)—The action of Charles S. Bailey, Columbia, S. C., in filing application for admission to the law school of the University of South Carolina, has stirred a "tempest in a teapot" in educational circles throughout the state.

Latest repercussion came last Wednesday when a statement was given out by Solomon Blatt, member of the university's board of trustees and chairman of a committee of three lawyers appointed to pass on Student Bailey's application. Trustee Blatt sounded off:

"Considerable interest has developed among the people of South Carolina in connection with the application of a Negro for admission to the law school of the University of South Carolina.

NAACP Interested

"The National Association for the Advancement of Colored People is taking an interest in this application and I am informed that similar applications will be made at Winthrop college, the Citadel and Clemson college.

"The matter of this application has been referred to a committee of three lawyers representing the university of which committee I am chairman. The white people of South Carolina need not have any fear as to what the outcome of this application is going to be. The board of trustees will do everything in their power to maintain the University of South Carolina for white students only and in so doing, will protect the other institutions for white students supported by the state.

"Similar situations have arisen in other southern states and this application will receive the attention that it deserves at the hands of those in control of the university."

Chester, S. C., News
September 2, 1938

Negroes Would Enter Schools

Apply To University, May Also Try To Enter Winthrop.

(Rock Hill Herald)

No applications for admission to Winthrop College have been made by negroes, inquiry disclosed today.

A request that a negro be permitted to enter the law school of the University of South Carolina has been filed, according to information from Columbia, and it had been reported that similar applications would be made at Winthrop, The Citadel and Clemson College.

In Barnwell, Col. Solomon Blatt, member of the University of South Carolina board of trustees and chairman of a committee of three lawyers appointed by the university to pass on the application by the negro, issued a statement on the question.

"Considerable interest has developed among the people of South Carolina in connection with the application of a negro for admission to the law school of the University of South Carolina," Mr. Blatt said.

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"Similar situations have arisen in other Southern states and this application will receive the attention that it deserves at the hands of those in control of the University."

DIXIE COLLEGE TRUSTEE SAYS HE'LL KEEP NEGROES OUT OF S. C. SCHOOL

BARNWELL, S. C., Sept. 9—ANP—The action of Charles S. Bailey, Columbia, S. C., in filing application for admission to the law school of the University of South Carolina has stirred a "tempest in a teapot" in educational circles throughout the state.

Latest repercussion came last Wednesday when a statement was given out by Solomon Blatt, member of the University's Board of Trustees and Chairman of a committee of three lawyers appointed to pass on Student

S.C. Man Asks Right to Attend State University

Newspaper Urges Separate Unit to Retain Color Line

COLUMBIA, S.C. (ANP)—Application by Charles B. Bailey for admittance to the law school of the University

Cardlina Gets Application Of Negro Student

Man Wants to Enter School of Law; Committee Is Studying Records

The application of a Columbia negro for admission to the University of South Carolina law school was before a special committee of the university board of trustees today.

The application was being held in abeyance for the present.

Bailey's application Trustee Blatt sounded off:

"Considerable interest has developed among the people of South Carolina in connection with the application of a Negro for admission to the law school of the University of South Carolina.

"The National Association for the Advancement of Colored People is taking an interest in this application and I am informed that similar applications will be made at Winthrop college, The Citadel and Clemson College.

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"Similar situations have arisen in other southern states and this application will receive the attention that it deserves at the hands of those in control of the university."

No Negro Applicant Ever Given Favorable Consideration For Clerk

Race Spends Thousands of Dollars But Little Reciprocity Practiced

In response to the complaint of a committee of Musicians, Entertainers and Waiters whose economic life has been affected by the State Liquor Board's obvious vigilance upon establishments employing Negro help, many civic and political organizations have expressed themselves as disapproving of the Board's actions.

A concerted move is underway to have the entire transactions of the State Liquor Board investigated, for aside from the complaint of Negroes being denied the opportunity to work many other complaints have been registered. A well known political and civic leader expressed himself as being highly disatisfied with the Board in more ways than one. First it was brought out that no Negro Applicant was ever given favorable consideration for other than a janitor's job by the board. Also that many competent persons applied for positions of various types, and if political alliance was an asset many of them had obligated the State administration by their support and cooperation. Some of these men were veterans, and they are usually given a preference, but not so with the Negro, only a mop or a broom, regardless of the amount of taxes paid or money spent therewith.

Many well known race leaders expressed themselves by saying that the same methods of pressure should be applied to the State Liquor Board as applied to many commercial enterprises in our larger cities. Products bottled and labeled by the Board should not be purchased, and when the opportunity to vote dry, or for the abolition of hard drinks comes, then the race should vote dry. Further it was said that there would be no shortage of liquor and instead of the State making the profit the bootleggers would but it would serve as a lesson to any monopoly that minority group rights should be considered.

In the near future a breakdown of the State Liquor Board's budget will be published, also more details of stool-pigeon activities of eco-inducing employes of clubs to serve hard drinks so an arrest can be made. To test the constitutionality of the right of stool-pigeons to secure evidence under coercive methods, several cases are slated to go before juries it has been said.

Discrimination- 1938

Tennessee

Knoxville, Tenn. News Sentinel
September 14, 1938.

DISMISS HOSPITAL SUIT, CITY ASKS

The City of Knoxville has asked dismissal by Chancery Court of the suit brought by East Tennessee Hospital Association alleging Negro doctors have been discriminated against at the General Hospital.

The city, in a demurrer, declared that the suit filed by the Hospital Association shows there has been no abridgement or interference by officials with the privileges guaranteed by the Fourteenth Amendment of the U. S. Constitution or of the State Constitution.

The city also questioned the jurisdiction of Chancery Court in the matter.

SUE DIXIE HOSPITAL

Knoxville Doctors Say White City Officials Denied Them Right to Practice.

KNOXVILLE, Tenn., Sept. 1 — Charging discrimination against physicians and nurses at General hospital, the Knoxville East Tennessee Hospital Association, through Dr. S. M. Clark, president; Prof. J. L. Cary, secretary, with Dr. E. F. Lennon, J. H. Presnell, G. J. Mills and others, filed suit last week in Chancery Court against Mayor W. M. Mvatt, Welfare Director J. T. O'Connor and Hospital Superintendent M. Hayes.

The suit demands a Negro nurse aining school, Negro internes, id permission of Negro physiins to practice, and junior staffs r the Negro unit of the Hospital. These points, it is said, were reed on by the city before the t was erected in 1933, with $50,- 0 from the Rosenwald Fund, 0,000 from the county and $4,200 om Negro doctors, but hospital ads have steadfastly ignored the licy. The case comes up September 6.

Tenn. University Appeal Dropped

MEMPHIS (ANP) — William Redmond, 28, of Franklin, Tenn., whose plea for admission to the University of Tennessee college of pharmacy was denied in a Memphis chancery court order, announced he has dropped a planned supreme court appeal.

A decision by the supreme court to the effect that equal educational privileges must be provided for white and colored students alike was reported to have caused the dropping of the appeal.

Redmond is a graduate of the A. and I. State College in Nashville. His case was argued by NAACP attorneys.

Chattanooga, Tenn., Daily Times
December 13, 1938

TENNESSEE ALLOTMENT FOR TRAINING IS CITED

NASHVILLE, Dec. 12 (AP).—Education Commissioner Halbert Harvill, commenting on the United States supreme court ruling that states must provide "equality" in educational privileges to white and Negro students said he "doubted seriously" that Tennessee would be faced with a similar suit.

Harvill called attention to an annual legislative appropriation of $2,500 for Negroes to obtain professional training outside Tennesssee. The fund is used to pay the difference between what it would cost the Negro to obtain the training inside the state and the cost of the training outside the state. Three Negroes now are being assisted by this appropriation.

The legislature made the appropriation after William B. Redmond II, Nashville Negro, filed a petition in Memphis chancery court seeking to force University of Tennenssee officials to admit him in the school of pharmacy, or else provide for his instruction at another institution.

The Association for the Advancement of Colored People brought the suit to test Tennenssee's right to refuse Negroes entrance to state schools.

Chancelor Lois D. Bejach denied the petition and, after the legislative appropriation was made, no appeal was taken to the supreme court.

Redmond Will Drop Tennessee Admission Suit

MEMPHIS, Tenn. — (ANP) —William Redmond, 28, Franklin, Tenn., whose plea for admission to the University of Tennessee college of pharmacy was denied by a Memphis chancery court order announced he has dropped a planned supreme court appeal. A decision by the supreme court to the effect that equal educational privileges must be provided for white and colored students alike was reported to have caused the dropping of the appeal.

Redmond is a graduate of the A. and I. State College of Tennessee. His case of admittance was argued in Memphis sometime ago by attorneys for the NAACP.

Discrimination – 1938

Tennessee Scholarship Grants to Negroes.
6

Jackson, Tenn. Sun
June 13, 1938

HOPE TO FIND USE FOR $2,500 APPROPRIATION

NASHVILLE, June 13—(AP)—The State Department of Education, with a $2,500 annual appropriation for negro students, has liberalized its requirements in the hope it may find a use for the fund.

Commissioner J. M. Smith said today no negro applied during the past year for one of the scholarships to take a professional course offered at the University of Tennessee but not provided for at the negro university—A. and I. State College.

The $2,500 annual appropriation was made available by the 1937 legislature after a negro filed suit at Memphis for a right to enter the University of Tennessee's pharmacy college. No pharmaceutical course is offered at the negro institution here.

Smith said under his new ruling negroes applying for a scholarship —which is the difference between the cost of a course at U. T. and the institution the negro enters— would not be required to take examinations. The only requirement is that the applicant have a transcript of high school or college work.

Discrimination – 1938

Texas.

Negro College President Fights For Civil Rights

DALLAS, Texas, Oct. 17 — Thurgood Marshall, of the legal staff of the NAACP, arrived here Saturday, October 8, to confer with officials of the local branch in regard to further action in the brutal jury eviction case involving Dr. George F. Porter, 65, president of Wiley junior college.

Dr. Porter, the key figure in the case is a well-loved educator, slight in build, whose unflinching courage in the face of a brutal assault at the hands of white hoodlums in the Dallas courthouse, has aroused colored people and liberal whites throughout the state.

Because he insisted on exercising his right of membership on a petit jury panel to which he had been legally summoned, and refused to have himself "excused" at the suggestion of court officials, Dr. Porter was dragged out from the central jury room of the Dallas courthouse September 28 by two white men, despite his plea to court attaches for protection, and thrown down the front steps of the building. Several other prospective Negro juors accepted dismissal at the hands of court officials.

Determined to see the thing through the college president picked himself up and broke through a line of more than a dozen threatening whites who sought to bar his entering the building again, reentered the courthouse and regained his seat in the jury room.

Shortly after the assault on him Dr. Porter was sent to the fourteenth district court in the building presided over by Judge Sarah Hughes to join the jury panel assembled there. Here, together with sixteen white veniremen, he was dismissed for the week. Judge Bush, technically in charge of the jury room, from which the college president was first evicted, refused comment on the assault.

Porter's eviction from the jury room came on the third day of his daily attendance on the jury panel following his acceptance of jury service. Well known throughout the state, he has been dismissed twice before from jury service over his protest; once in 1921, when he served one day after having been threatened with lynching; and again in 1936, when he served for three days before he was dismissed despite his protest.

In a statement issued today, Walter White, executive secretary of the NAACP, said:

"We have already sent a vigorous protest to Governor Allred of Texas, over the brutal treatment meted out to Mr. Porter and we intend to follow this case through, because it involves much more than appears on the surface."

Last July, Gov. Allred was nominated by President Roosevelt for the post of federal district judge, receiving the nomination personally at the hands of the President when the chief executive visited Texas on a speaking tour. The nomination comes up for confirmation before the U. S. Senate in January.

The NAACP secretary pointed out that the whole question of rule by mobs in an effort to obstruct justice was involved in this case, as well as the question of action against police and court officials who are negligent in protecting citizens from lawless mobs.

Negro Student Admitted To Insurance Classes At State University of Texas

Attends Classes Without Any Trouble

Enrolled by Telephone and Pays Fees Before Racial Identity is Discovered

AUSTIN, Tex.—(ANP)—For the first time in the history of the University of Texas, a Negro has been admitted as a regular student. He is George L. Allen, district manager of the Excelsior Life Insurance Company, who last week started taking business psychology and salesmanship in the graduate school.

Mr. Allen, a graduate of Xavier University, New Orleans, has been in Texas for five years. He enrolled in the course by telephone. His race did not enter into the conversation, possibly because it was not believed by officials that a colored student would attempt to enroll.

But when he presented himself with the proper credentials for admission to the first class, he was told by an astounded secretary that "there must be some mistake." The course was "confined to white people," the official said, and Mr. Allen was referred to Prof. C. P. Brewer, director of the course.

The insurance manager told the professor he had followed the regular proceedure in applying for admission and that his fees had been sent by cashier's check. He had also received his cards of admission, he stated, and could not see where any mistake had been made.

"All right, tear the first ticket off and give it to the gentleman at the door and take a seat in the classroom," Prof. Brewer said.

Mr. Allen has since been attending regular sessions of the class without trouble. It meets in the geological auditorium on the university campus.

His acceptance as a student is being looked upon as a significant victory. The Texas Interracial Commission for four years has been working for legislation to vide scholarships for graduate students in schools outside the state. It is believed Mr. Allen's acceptance will either cause the speedy passage of such legislation or throw open the doors of the university to Negro graduate students generally.

LEADERS ASK NEW DEAL IN SCHOOLS

Group Has Waged Quiet But Effective Campaign To Have Doors Opened To Negro Students—White Educational Circles Stunned.

DALLAS, Tex., Sept. 29—President J. W. Calhoun (white) and other authorities at the University of Texas were thrown into a state of consternation and confusion last Friday, when Negro leaders made known their plans seeking equal educational opportunities and participation.

Quietly but carefully, the group has been waging a systematic campaign to have the doors of the university thrown open to Negro students.

STUDENTS TO APPLY FOR ADMISSION

Directors of the campaign have just revealed that several qualified Negro students will apply for admission to the university, including matriculation at the law school. If their applications are denied, the cases will be thrown into court for test purposes.

STATE CONSTITUTION HAS "RACE" PROVISION

The State Constitution has a provision for Negroes, which calls for the establishment of a University for Negroes equal to the University of Texas. However, it is believed the constitutional provision contains two "jokers." One lies in the phrase, "when practicable," and the other in the phrase, "if passed by voters."

The interracial committee, headed by Dr. Thomas W. Currie, president of the Theological Seminary, Austin; Mrs. Jessie Daniel Ames, chairman; Dr. R. P. Hamilton, Dallas, vice-chairman; Mrs. E. W. Montgomery, Houston, secretary, and others, are trying to avert unpleasant consequences and the embarrassment of a law suit.

They have prepared a bill to be introduced in the next Legislature, calling for a Negro Scholarship Aid Fund, which takes for granted the spirit and intent of the State Constitution to give Negroes equal educational opportunities.

BILL SEEKS $30,000 APPROPRIATION

The bill asks for an appropriation of $30,000 for transportation, maintenance and tuition of Negro students qualified for higher training and seeking university work, but who will go elsewhere as a compromise.

This measure is said to be favored by Governor Allred and practically all of the leading white dailies of the State.

Meanwhile, a committee will convene with Governor-elect O'Daniel this week in an effort to obtain his support for the measure.

TEXAS GOV. IS ASKED

TO ACT

President of Wiley Junior College Is Thrown Down Courthouse Steps When He Refuses To Be Excused From Jury Service

SPECIAL TO THE COURIER
By Staff Correspondent

MARSHALL, Tex., Oct. 6—Because he insisted on exercising his rights as an American citizen, and refused to be excused from jury service, Dr. George E. Porter, President of Wiley Junior College, was attacked and beaten last Wednesday, while deputy sheriffs, looking on, refused to protect him.

This is the charge which the New York office of the N. A. A. C. P. leveled at Governor James V. Allred of the Lone Star State Saturday.

According to the organization, Dr. Porter was called for jury service last week. It has been an "unwritten law" in Texas that all Negroes called for jury service are excused at the "suggestion" of court officials.

REFUSED TO BE EXCUSED; WHIPPED

The charge further states that the school head refused to be excused. He was then told by the deputy sheriff in charge of the jury that under the Texas jim-crow law, Negroes and white were prohibited from assembling together and that it would, therefore, be difficult for a Negro to serve.

"Two days later, on Sept. 28," the protest to Governor Allred continues, "one Walter Miller seized Mr. Porter in the jury room in the presence of the jury clerk and deputy sheriffs.

DEPUTY SHERIFFS REFUSE PROTECTION

"Mr. Porter called to the clerk and other court officials, requesting them to protect him, but no protection was given him.

"He was dragged from the jury room to the porch of the courthouse and thrown head first down the courthouse steps, despite the presence of several deputy sheriffs. "Deputy Sheriff Army, we are informed, and other court officials were appealed to by Mr. Porter to protect him, but they took no steps to halt the brutal assault."

The organization is asking that Governor Allred order an immediate investigation and prosecute the parties guilty of actual assault as well as those who failed to protect the educator.

Allen Forced To Quit University Of Texas

School Intimates He Misrepresented Racial Identity—Ousted Student Denies Fact.

By JOHN R. WILLIAMS
Staff Correspondent

AUSTIN, Tex., Oct. 27—George L. Allen, Texas insurance executive, who made headlines last week as the "first Negro to be admitted to the University of Texas," is out on the streets again.

Allen was excluded from classes last Thursday following receipt of a letter from Dean Shelby which said: "You are no longer enrolled at the University of Texas. Your entrance fee is being refunded. Please return admittance card to classes."

HAD BEEN ASKED TO WITHDRAW VOLUNTARILY

Allen had been attending classes since October 4 in school of Business Psychology and Salesmanship. Prior to the letter advising of his dismissal, Professor Brewer and another member of the faculty had arranged a meeting with him at the Driscoll Hotel. There they had tried to influence him to "withdraw voluntarily."

DENIES HE TRIED TO 'PASS FOR WHITE"

Following his refusal to listen to their compromise proposition, the letter of dismisal was sent him. In an exclusive interview with the Pittsburgh Courier, Allen emphatically denied the rumor being circulated in some quarters that he had misrepresented his racial identity. As proof of his assertion, he gave Xavier as his former school, and sent letter of admission, together with enrollment check on the stationery of the company he represents.

Allen has unmistakable Negroid features and complexion. He believes the university indulged his matriculation during a period of perplexity and indecision.

SENTIMENT HOSTILE; WANTS TO SAVE "FACE"

When the experiment "backfired" with a wave of hostile sentiment overwhelming the liberal element, the university officials acted. It has been said that a prominent alumnus of the institution unofficially made the following statement:

"It was a courageous and noble experiment, but the episode proves that the time is not yet ripe for Negroes to attend the University of Texas."

Negro leaders hold to the opin-
ion that the Allen case will help favorable action on the $30,000 bill to be introduced at the next session of the Legislature for Negroes to receive education in other States for subjects offered at the University of Texas, but not offered at Prairie View College, only State school for Negroes.

Texas Science Academy To Lower Racial Bar

DALLAS, Texas (ANP)—Official action was taken at the annual meeting of the Texas Academy of Scientists Saturday, meeting in Waco, on a resolution to invite all Negro scientists in the state to attend all meetings and sessions of the academy in the future.

On the recommendation of the executive council the general assembly passed the resolution unanimously, according to Dr. S. W. Geiser, eminent scientist at the Southern Methodist University here. With this action, a permanent policy has been instituted, and the academy has led the way for other similar societies.

Discrimination -1938

Texas.

Fined For Using Rest Room In Texas Courthouse

By JAMES F. BOZEMAN

WOODVILLE, Texas. — (ANP) — Because he used the white men's rest room at the local court house Sunday, Oscar Martin, Milwaukee, Wis., business man was arrested and fined.

Martin, when arrested, was asked by the sheriff why he took such liberties. The Northerner, who was motoring through at the time, said the only sign he saw displayed was marked "Gentlemen."

To which the sheriff replied, " 'Gentlemen' sure don't mean 'N———,' "

The victim's fine was $14.75 the minimum for this offense.

NEGROES PAYING TO BE INSULTED

The Defender has been besieged with requests that this paper "pour it on" a local white theatre for the rude manner in which a colored woman was treated by one of the white ushers during the showing of a feature picture recently.

For some reason, this paper has not been able to become aroused over this incident, which several persons present declared really happened, despite the denial published in another local newspaper by some attache of this white playhouse; not because we approve of any man, white or colored, cussing and abusing any woman, white or colored, but because Negroes ought to stop paying their money to be insulted.

As has been stated so often in these columns, the Negro is the only person in this city, section or country who will continue to support enterprises owned and operated by members of other races, which continually heap gratuitous insults and indignities upon him and his; but he can get sore with and refuse to patronize his own race on the most flimsy pretext or excuse.

4-9-38

It is general knowledge throughout the city that a colored woman was cursed, abused and villified in a most shameful manner by this white usher in question, and that several Negroes withdrew from the theatre at the time because of their resenttment due to this officious usher's rudeness, discourtesy and uncivility; but, while the theatre management has made no apology for the incident and insult, Negroes are still flocking to this white playhouse like flies in quest of syrup.

Until Negroes learn how to resent an insult and teach their dollars to have more cents and sense, both women, men and children of the race are going to be cursed, insulted and assaulted in places owned and operated by members of other races.

Houston, Texas

The Negro can remove the cause of some insults, inequalities, segregation, proscription and humiliation either by remaining away from places that insult and villify him and his, or by opening and operating his own business and amusement enterprises.

There is neither reason nor rhyme in paying one's hard-earned money to some person or concern whose gratitude is expressed in terms of insults, abuses, villification, discrimination and segregation; and as long as Negroes pay to be insulted and cursed, just so long will such treatment be their unhappy fare.

However, in order to keep the record straight and that our position might not be misunderstood or misconstrued, The Defender wants it understood quite definitely that this paper does not condone the alleged behavior or conduct of this usher; but if the theatre management refuses or fails to make a public apology for his act and still retains him on the payroll, it is prima facie evidence just about how much the theatre management cares for and about Negro patronage.

The Defender has observed that practically every time some white usher or clerk is accused of cursing or striking some colored woman in Houston, the management of the place always essays to place the blame on the woman of color, and altogether too many Negroes, completely ignorant of the entire matter, rush pellmell to the defense of the white store or theatre, and cite instances of the civil and courteous treatment they have received at such places over the years.

The Negro's traditional policy of individualism and isolation has proved ruinous to the entire race and even before certain Negroes are insulted and attacked in some of the public places and business houses the insulters and attackers know in advance that their "stunt" will attract more Negroes to their establishments instead of driving them away; but if Negroes would treat Negroes this way, it would be just too bad and how!

Until Negroes think and act more in terms of each other on all vital matters, just like other red-blooded and manly races do in this country, they are going to continue to be unwilling victims of sundry types of insults and indignities, and that at a monetary price which they (Negroes) will persist in paying to their insulters, defamers, detractors and oppressors! (Lord, help us and save us from our own stupidity, moral cowardice and inaneness. Amen!)

Race Citizens Barred From Public Park

MARSHALL, Texas, Aug. 5—Race citizens of Harrison county are expressing bitter feelings against Sheriff J. H. Wilson for the second insult he has handed them this summer. Last Saturday the sheriff, in a high-handed manner, ordered all Race members from the west side of the public square.

The action was said to have been taken to clear the square for the assembly of whites to hear a political speech by W. A. Thompson, gubernatorial candidate. This action on the eve of an important election was believed taken to appease critics who objected to the presence of Race members at or near a political rally.

The Race population of Harrison county exceeds the whites but all Race persons are denied the use of the ballots. The least show of interest in political matters arouses bitter race feelings.

Sheriff Wilson was recently cited by the Association of Southern Women for the Prevention of Lynchings for having kept his county out of the lynch column during the past year. Wilson used this as campaign material to win his re-election.

SOUTHERN "JUSTICE"

MANY HAVE BEEN the complaints about so-called justice in Southern courts. Where Negroes are concerned, and especially where they are complainants against whites, there just isn't any in 99 cases out of a hundred.

The Houston Defender, in its last issue carries a front page story which typifies the type of justice Negroes get in that Texas city. Captioned "Negro Physician Tendered Insult By Police Judge," the story reads:

During the recent trial of a case of "careless driving" preferred against Dr. Perry W. Beal, prominent Houston medico and public school physician, after a car driven by a white man had backed, from the left hand side of the street, into the colored physician's car, damaging his fender, the presiding judge of corporation court addressed Dr. Beal as "Smoky."

After officers told how they found the two cars upon their arrival at the scene of the accident, the judge turned to the colored doctor and inquired: "What have you to say about it "smoky?"

The judge then entered the role of prosecutor, Dr. Beal avers, and then fined the colored doctor $5, dismissing the charge against the white man, who violated the ordinance by backing across the street into Dr. Beal's car which was in motion at the time.

With the judge of corporation (Kangaroo) court showing his bias against Negroes on the bench, it is small wonder that police officers are so rough and tough on Negro citizens. And this is Houston.

We're glad to see the Houston Defender launching out vigorously and in no uncertain terms against conditions in that city. Also on the front page of the paper is a column of editorial comment captioned "The Mirror" in which C. F. Richardson, the editor, speaks his mind and does not bite his tongue. Such criticism as he levels against the Houston authorities will not make him a popular man with them but deep down in the hearts they must probably respect and even fear him. Speaking of the case of a Negro wrongly accused of raping a white woman and sentenced to death, Mr. Richardson tells of the efforts of the N. A. A. C. P., to fight for his life and then goes on, saying:

"Negroes in Houston are taxed, both directly and indirectly, just like all other elements of the polyglot population, yet all other racial segments get a larger share of civic considerations and improvements, and can cast a ballot in the city primary elections without regard to their party affiliation—just so they are not Negroid or cannot be classified so easily as Negroes.

"Until this situation is changed in Houston, Negroes are going to be insulted, intimidated, shot and even killed in cold blood by moronic and Negrophobic police officers; and professional and business men will continue to be addressed by the judge of a police court as "darky," "smoky," "Sambo," et cetera, and Negro women will be shot to death in their cars by police officers.

It is time for local Negroes, whether in the professional, business or industrial ranks, to quit kidding and deceiving themselves about their physical safety and civic wellbeing, and realize that as long as one Negro here is unsafe and subject to police brutalities and other abortions of justice and fair play, all Negroes are unsafe."

FAMOUS BAPTIST LEADER SLAPPED BY TEX. OFFICER

Incident Occurred While Minister Was On Way To National Convention of Boyd Faction—Governor Urged to Fire Offender.

By JOHN R. WILLIAMS
Staff Correspondent

FT. WORTH, Tex., Sept. 15—The Dr. G. L. Prince, pastor of the Avenue L. Baptist Church, Galveston, and President of the National Baptist Convention of America, was slapped and insulted by a highway patrolman while on his way to the Ft. Worth Baptist Convention last week. The incident occurred on the highway between Huntsville and Ft. Worth when Dr. Prince was stopped by a patrolman who was on the lookout for a Negro who had allegedly shot a white citizen.

Dr. Prince was brought to a stop by the officer who cried "Nigger, I said stop." The patrolman then walked to the car of the Baptist leader and without provocation struck him in the face. Very indignant over the matter, the National Baptist Convention sent the following protest to he Governor in the form of a resolution:

His Excellency, Governor of Texas, Austin, Texas.

We regret to call your attention to the humiliation and embarrassment of Rev. G. L. Prince, President National Baptist Convention of America, his wife and party while traveling to the seat of the National Baptist Convention at Ft. Worth, Highway 75, beween hours of eight and nine a. m., Sept. 5th, by highway patrolman No. 111, to wit: Said Highway patrolman grossly insulted, humiliated, and slapped the President of this convention without provocation.

We request thorough investigation of this conduct which is unbecoming a peace officer, and that you punish the officer as the facts in the investigation may warrant. If further information is desired, consult Rev. J. C. Lott, 421½ E. 6th St., Austin. Phone 5736. Reply to this convention by Western Union Collect.

National Baptist Convention of America,

A. A. Lucas, Henry A. Boyd,
E. W. White, J. S. Smith,
B. J. Davis, J. C. Lott,
O. J. Allen, E. H. Borden,
E. C. Curtis,

Grievance Committe

Texas.

Discrimination - 1938

BRUTAL ASSAULT ON TEXAS JUROR PROBED BY NAACP

Case Declared Vitally Important To Whole Question Of Negroes Serving On Juries; Action Of Governor Allred Awaited

Dallas, October 13—Thurgood Marshall, of the legal staff of the National Association for the Advancement of Colored People, arrived here Saturday to confer with officials of the local branch in regard to further action in the brutal jury-eviction case involving Dr. George F. Porter, 65, president of Wiley junior college.

Mr. Marshall was sent here from the New York office of the association at the request of local branch officials because of the wide implication involved in the denial of fundamental citizenship rights, as shown by the case.

Because he insisted on exercising his right of membership on a petit jury panel to which he had been legally summoned, and refused to have himself "excused" at the suggestion of court officials, Dr. Porter was dragged out from the central jury room of the Dallas courthouse, September 28 by two white men, despite his plea to court attaches for protection, and thrown down the front steps of the building. Several other prospective Negro jurors accepted dismissal at the hands of court officials.

Determined to see the thing through the college president picked himself up and broke through a line of mroe than a dozen threatening whites who sought to bar his entering the building again, re-entered the courthouse and regained his seat in the jury room.

Shortly after the assault on him, Dr. Porter was sent to the fourteenth district court in the building presided over by Judge Sarah Hughes to join the jury panel assembled there. Here, together with sixteen white veniremen, he was dismissed for the week. Judge Bush, technically in charge of the jury room, from which the college president was first evicted, refused to comment on the assault.

Porter's eviction from the jury room came on the third day of his daily attendance on the jury panel following his acceptance of jury service. Well known throughout the state, he has been dismissed twice before from jury service over his protest; once in 1921, when he served one day after having been threatened with a lynching; and again in 1936, when he served three days before he was dismissed despite his protest.

In a statement issued today, Walter White, executive secretary of the N. A. A. C. P. said:

"We have already sent a vigorous protest to Governor Allred, of Texas, over the brutal treatment meted to Mr. Porter and we intend to follwo this case through, because it involves much more than appears on the surface."

Last July, Governor Allred was nominated by President Roosevelt for the post of Federal district judge—receiving the nomination personally at the hands of the President when the chief executive visited Texas on a speaking tour. The nomination comes up for confirmation before the U. S. Senate in January.

White said the Association would "watch carefully" to see what action Governor Allred would take in the matter.

RIGHT ESTABLISHED IN 1890

The N. A. A. C. P. was the first organization in the country to give nation-wide prominence to the question involving the rights of Negroes to sit on juries, although this right was established as early as 1890.

The Association won a state supreme court reversal in the famous Elaine, Arkansas riot cases (between 1919 and 1923, involving 79 sharecroppers on the ground that Negroes were systematically excluded from the jury. It finally won the complete freedom for all the men. Twelve of them had been sentenced to death, 67, to life imprisonment.

The case of Jess Hollins, who was twice saved from death for an alleged criminal attack upon a white woman, at Okmulgee, Okla., was also won in 1916 on the ground that Negroes were sysetmatically excluded from the jury.

Thurgood Marshall In Texas To Probe Assault On Negro College President Called To Jury Duty

DALLAS, Tex.—Thurgood Marshall, of the legal staff of the National Association for the Advancement of Colored People, arrived here Saturday, October 8, to confer with officials of the local branch in regard to further action in the brutal jury-eviction case involving Dr. George F. Porter, 65, president of Wiley Junior College.

Mr. Marshall was sent here from the New York office of the Association at the request of local branch officials because of the wide implications involved in the denial of fundamental citizenship rights, as shown by the case.

Dr. Porter, the key figure in the case, is a keen-eyed educator, slight in build, whose unflinching courage in the face of a brutal assault at the hands of white roughians in the Dallas courthouse, has aroused colored people and liberal whites throughout the state of Texas.

Because he insisted on exercising his right of membership on a petit jury panel to which he had been legally summoned, and refused to have himself "excused" at the suggestion of court officials, Dr. Porter was dragged out from the central jury room of the Dallas courthouse September 28 by two white men, despite his plea to court attaches for protection, and thrown down the front steps of the building. Several other prospective Negro jurors accepted dismissal at the hands of court officials.

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The N. A. A. C. P. secretary pointed out that the whole question of rule by mobs in an effort to obstruct justice was involved in this case, as well as the question of action against police and court officials who are negligent in protecting citizens from lawless mobs.

"This is a striking revelation of why we need an anti-lynching bill," he said, "it is obvious in this case that if no action is taken to bring these mobbists to justice, even when they go into a courthouse and drag out a legally summoned prospective juror, then an incentive is open to others to take the law into their own hands and inflict their degenerate prejudice upon other innocent victims purely because these victims happen to be citizens with black skins. It would mean further that all the victories obtained in securing the right of Negroes to sit on juries would be nullified."

White said the Association would "watch carefully "to see what action Governor Allred would take in the matter.

Assault On Educator Prompts NAACP Probe

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Texas University Ousts First Negro Student

AUSTIN.—George L. Allen, the first Negro to register at the University of Texas, was ousted, last week.

The Austin daily said: "An Austin Negro who registered in the business psychology and salesmanship classes being conducted at the University of Texas by C. P. Brewer was no longer a member of the class Thursday."

Allen said he was not questioned as to his racial identity. He said he listed his address and business, both of which revealed he was a Negro. He said he gave his profession as an executive of the Excelsior Life Insurance company, which is a Negro enterprise.

He said if his plans were to cover up his racial identity as officials at Texas university claimed, he would not have listed his address and type of business.

Prejudice Given As Reason

Graduate Student Asked To Leave After Enrolling

AUSTIN, Tex. (ANP) — George L. Allen, graduate student recently dismissed from the University of Texas after being allowed to register and attend classes, last week announced that he would file suit against the school because he believes that his dismissal was based on grounds of color.

Allen, who was the first Negro student to be admitted to the university in the history of the school, was dismissed after he inquired about his official status in the school and was informed by Dean T. H. Shelby that he was not enrolled for the courses in psychology and salesmanship.

Allen made this inquiry after a conference with Prof. C. P. Brewster, director of the course, who suggested that he leave the school. The suit, which will test the Texas law providing equal opportunities for colored graduate students to study in the state, is expected to aid materially in the move for the establishment of a university for Negroes in Texas.

Texan Demands Right to Serve on U.S. Jury

NAACP Protests When Officials Throw him Out

NEW YORK—A vigorous protest was made by the NAACP this week to Gov. James V. Allred of Texas, who was recently nominated by President Franklin D. Roosevelt for a Federal judgeship, against the brutal assault made upon Dr. George F. Porter, president of Wiley Junior College, in the presence of court attaches and deputy sheriffs, on September 28.

Dr. Porter was summoned for jury duty and the attack upon him was made when he refused to be excused from service as other colored prospective jurors accepted dismissal. The full text of the letter to Governor Allred, signed by Walter H. White, secretary, follows:

The Protest

"The National Association for the Advancement of Colored People has received information today that George F. Porter, a highly respected citizen of Dallas, Texas, and president of Wiley Junior College, was called for jury service on September 26;

"That all colored people called for jury service were excused at the suggestion of court officials; that Mr. Porter refused to be excused and that the deputy sheriff in charge of the jury told him that under the Texas jim crow law colored and whites were prohibited from assembling together and that it would, therefore, be difficult for a colored person to serve.

"We are further informed that on September 28, one Walter Miller seized Dr. Porter in the jury room in the presence of the jury clerk and deputy sheriffs. Mr Porter called to the clerk and other court officials requesting them to protect him; but no protection was given him.

Dragged from Room

"He was dragged from the jury room to the porch of the court house and thrown head first down the courthouse steps, despite the presence of several deputy sheriffs. Deputy Sheriff Army, we are informed, and other court officials were appealed to by Mr. Porter to protect him, but they took no steps to halt the brutal assault.

"The rights and privileges of jury service are among the most fundamental rights of American citizenship. Jurymen as officers of the court are entitled to the fullest protection of the laws. This denial, therefore, of protection to Mr. Porter as a juror summoned to duty, is a denial of civil rights and a flagrant violation of law, both State and Federal.

"The assault upon Mr. Porter, the complete inaction if not encouragement, of the assault by officers of the court, and the complete failure to take any action against this invasion of the court, so far as we know, signifies a complete breakdown of judicial machinery.

"We, therefore, call upon you as the chief executive of the State of Texas to order an immediate investigation to the end that the parties guilty of actual assault and the conspiracy of failure to protect Mr. Porter may be vigorously prosecuted and punished."

Discrimination – 1938

Virginia.

Whites Protest Use Of Armory For Race Dance

Special to Journal and Guide

LYNCHBURG, Va. — A group of white citizens of Lynchburg backed, it seems, by certain military units let it be known last week that they were bitterly opposed to the action of the City Council in agreeing last week to allow the local chapter of the Omega Psi Phi fraternity to sponsor a dance at the City Armory in the near future to which more than 1,000 guests will be invited.

The Negro committee headed by Dr. Walter R. Johnson, basileus of the Lynchburg Omega Psi Phi chapter, met considerable opposition from the Council itself. The City Council at first denied the committee use of the Armory but later when the committee appeared again before that body the Council voted to permit the chapter to use the Armory.

After a heated discussion which lasted more than an hour, a motion offered by Councilman Abe Schewel in favor of renting the Armory to the fraternity prevailed.

MOTION PASSED

Councilman Schewell's motion passed by 5 to 2. Mayor L. E. Lichford, who voted for the motion, said the Virginia State Association of Elks planned to hold a convention in Lynchburg in June and desired to rent the Armory one night for a dance. He said the two requests could be considered together.

Charles G. Patterson, who also voted for Councilman Schewell's motion, proposed that in the future the rental of the City Armory be left up to City Manager Hart and military authorities and that the ordinance be changed to that effect.

The vote on Mr. Patterson's motion was carried 6 to 1. Mayor Lichford opposed it.

DISCUSSION HEATED

"Why not throw it open to the whole United States?" Councilman Craighill demanded when Mayor Lichford mentioned the request of Negro Elks.

City Manager Hart had recommended that no action be taken on the matter by the City Council until the ordinance governing the armory's use could be redrafted. Councilman Pettyjohn, who is opposed to allowing Negroes to use the armory, made a motion that Hart's recommendation be agreed upon.

Mr. Schewell was opposed to the Pettyjohn motion saying that Negroes have paid their proportionate share of the cost of the armory. "It's a matter of social justice," he declared in summing up his views of the request from the fraternity.

"In the name of justice, in the name of fairness and decency, I can not conceive why, at this very moment, the city manager and others should try to find ways to keep it from them," Mr. Schewell said.

City Manager Hart, who is known to be prejudiced to Negroes, said, "I believe it is better to get the situation worked out before a precedent is established."

GUARD DISTURBED

While not disturbed before, National Guard officers within the past week have sent a resolution to City Council asking that the City Armory be not rented for any purpose that would conflict with the training, discipline, or schedules of the guard units in the city.

The resolution also calls attention to the state law requiring segregation of the races. It pointed out that the armory is equipped with only one set of facilities for public use, thereby making it necessary for the same facilities to be used by both races."

A Negro doctor by way of comment relative to the toilets said that the city could sterilize them after Negroes use them if whites are afraid they would be harmed by using them afterwards.

Military officers are trying to block use of the armory by Negroes.

CONGRATULATIONS TO DR. HILL—Et-al

The Richmond PLANET endorses the brave position taken by the Negro Baptist Ministers of Richmond in refusing to attend the recent sessions of the Southern Baptist Convention held at the Mosque. Dr. Joseph T. Hill conveyed the message of our Baptist ministers to their white Baptist brethren in a diplomatic yet forceful letter.

The purpose of white Christians to Jim Crow and to segregate all Negro Christians of the same faith and denomination is responsible for the conspicuous absence of the religious leaders of our race from the meetings. The letter of Dr. Hill addressed to Dr. S. T. Matthews, chairman of the local committee of the convention, reads in part as follows:

"As chairman of the committee on race relations for the Baptist Ministers' Conference of Richmond and Vicinity, it becomes my duty to inform you of the reaction of this body when, through Dr. J. W. Bailey of Marshall, Texas, it was learned that 'arrangements would be made to care for our seating should we come.'

"COMPLETELY IGNORED"

"After much discussion the brothers voted unanimously not to embarrass you by accepting the invitation. During the discussion it was brought out that the white Baptists were the only religious denomination which had completely ignored their colored brothers, over half a hundred in number, when something of interest to all was being planned. It was brought out that the Methodists, Presbyterians, Episcopalians and the Roman Catholics all have regarded their colored constituency. But our white brethren did not know that we existed. Thus, we readily see what laughing stock you have made of us to our brethren of the other denominations.

"It was further brought out that it would have been far better had I not called you at all, since our presence in the city had been so completely ignored. My answer was I did not want the few out-of-town brethren of our own people to know what an unbrotherly attitude exists between Baptist Christians in Richmond.

BELIEF "OUT OF STEP"

"In the eyes of the world, the church should stand for something or be set aside. The church must face the fact that enforced segregation, injustice and discrimination of whatever nature, based exclusively on race are out of step with the basic assumption of Christian belief.

"This far removed from slavery and reconstruction, the great Baptist brotherhood, instead of keeping up these unchristian practices, should carry forward a definite movement to correct and educate popular sentiment in the matter of Christian race relations."

It would be a waste of words to comment on this text. The truths expressed therein are self evident and admit of no contradiction. Christianity is a farce so long as it embraces the vicious policy of jim Crowism and segregation. Well stated, Dr. Hill. The Richmond PLANET congratulates you and all of the Baptist Ministers of Richmond for the manly and courageous stand you and they took in getting the Southern Baptist Conference completely told. It is the duty of the Christian Church to weed out the serpents of racial discrimination, jim crowism and segregation. Until it does so these serpents will eat out its heart.

The crusade of the Richmond PLANET against jim crowism and segregation is bearing fruit.

This fact is attested by the action of the Negro Baptist ministers of Richmond in reproaching and scorning these serpents. When the Christian church becomes militant, why worry if dancers make rhythm for jim crowers and Uncle Toms!

THEY DANCED—WHILE

In striking contrast to the position taken by the Baptist Ministers of Richmond in refusing to attend the sessions of the Southern Baptist Conventions in the Mosque, because they would not submit to the jim crow seating arrangements was "Rhythm On Parade" staged on last Friday by the Colored Recreation Association in the auditorium of Armstrong High School. The sponsor of "Rhythm On Parade", the Colored Recreation Association, is apparently a confirmed believer in jim crowism. Its name suggests the fact. Last Friday night it enforced the rule of separation and isolation with a vengeance. Negro patrons of the show were required to leave seats reserved for white persons and take pot luck in finding another seat. Of course, white patrons had comfortable seats reserved for them, but by not by white people this time, but by jim crowism played ring around the ros and the prominent Negro citizens of Richmond didn't Nero gave a great exhibition in dancing. Their if they persisted in dancing? Perhaps parents, however, were ruthlessly Jim show is the Crowed in a school building set apart for Jim Crowism was on parade rather than the Negro children. Be it remembered that this jim crow was dictated and directed

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Mr. Schewell was opposed to the Pettyjohn motion saying that Negroes have paid their proportionate share of the cost of the armory. "It's a matter of social justice," he declared in summing up his views of the request from the fraternity.

"In the name of justice, in the name of fairness and decency, I can not conceive why, at this very moment, the city manager and others should try to find ways to keep it from them," Mr. Schewell said.

City Manager Hart, who is known to be prejudiced to Negroes, said, "I believe it is better to get the situation worked out before a precedent is established."

GUARD DISTURBED

While not disturbed before, National Guard officers within the past week have sent a resolution to City Council asking that the City Armory be not rented for any purpose that would conflict with the training, discipline, or schedules of the guard units in the city.

The resolution also calls attention to the state law requiring segregation of the races. It pointed out that the armory is equipped with only one set of facilities for public use, thereby making it necessary for the same facilities to be used by both races."

A Negro doctor by way of comment relative to the toilets said that the city could sterilize them after Negroes use them if whites are afraid they would be harmed by using them afterwards.

Military officers are trying to block use of the armory by Negroes.

CONGRATULATIONS TO DR. HILL—Et-als

The Richmond PLANET endorses the brave position taken by the Negro Baptist Ministers of Richmond in refusing to attend the recent sessions of the Southern Baptist Convention held at the Mosque. Dr. Joseph T. Hill conveyed the message of our Baptist ministers to their white Baptist brethren in a diplomatic yet forceful letter.

The purpose of white Christians to Jim Crow and to segregate all Negro Christians of the same faith and denomination is responsible for the conspicuous absence of the religious leaders of our race from the meetings. The letter of Dr. Hill addressed to Dr. S. T. Matthews, chairman of the local committee of the convention, reads in part as follows:

"As chairman of the committee on race relations for the Baptist Ministers' Conference of Richmond and Vicinity, it becomes my duty to inform you of the reaction of this body when, through Dr. J. W. Bailey of Marshall, Texas, it was learned that 'arrangements would be made to care for our seating should we come.'

"COMPLETELY IGNORED"

"After much discussion the brothers voted unanimously not to embarrass you by accepting the invitation. During the discussion it was brought out that the white Baptists were the only religious denomination which had completely ignored their colored brothers, over half a hundred in number, when something of interest to all was being planned. It was brought out that the Methodists, Presbyterians, Episcopalians and the Roman Catholics all have regarded their colored constituency. But our white brethren did not know that we existed. Thus, we readily see what laughing stock you have made of us to our brethren of the other denominations.

"It was further brought out that it would have been far better had I not called you at all, since our presence in the city had been so completely ignored. My answer was I did not want the few out-of-town brethren of our own people to know what an unbrotherly attitude exists between Baptist Christians in Richmond.

BELIEF "OUT OF STEP"

"In the eyes of the world, the church should stand for something or be set aside. The church must face the fact that enforced segregation, injustice and discrimination of whatever nature, based exclusively on race are out of step with the basic assumption of Christian belief.

"This far removed from slavery and reconstruction, the great Baptist brotherhood, instead of keeping up these unchristian practices, should carry forward a definite movement to correct and educate popular sentiment in the matter of Christian race relations."

It would be a waste of words to comment on this text. The truths expressed therein are self evident and admit of no contradiction. Christianity is a farce so long as it embraces the vicious policy of Jim Crowism and segregation. Well stated, Dr. Hill. The Richmond PLANET congratulates you and all of the Baptist Ministers of Richmond for the manly and courageous stand you and they took in getting the Southern Baptist Conference completely told. It is the duty of the Christian Church to weed out the serpents of racial discrimination, jim crowism and segregation. Until it does so these serpents will eat out its heart.

The crusade of the Richmond PLANET against jim crowism and segregation is bearing fruit.

This fact is attested by the action of the Negro Baptist ministers of Richmond in reproaching and scorning these serpents. When the Christian church becomes militant, why worry if dancers make rhythm for jim crowers and Uncle Toms!

THEY DANCED—WHILE

In striking contrast to the position taken by the Baptist Ministers of Richmond in refusing to attend the sessions of the Southern Baptist Conventions in the Mosque, because they would not submit to the jim crow seating arrangements was "Rhythm On Parade" staged on last Friday by the Colored Recreation Association in the auditorium of Armstrong High School. The sponsor of "Rhythm On Parade", the Colored Recreation Association, is apparently a confirmed believer in jim crowism. Its name suggests the fact. Last Friday night it enforced the rule of separation and isolation with a vengeance. Negro patrons of the show were required to leave seats reserved for white persons and take pot luck in finding another seat. Of course, white patrons had comfortable seats reserved for them, come early or late—the alterna-tive for Negro patrons was to stand up, if they persisted in seeing the show. The children danced superbly while prominent Negro citizens of Richmond fiddle while Rome was burning? Perhaps gave a great exhibition in dancing. Their of more significance than the show is the parents, however, were ruthlessly Jim fact that the perfect rhythm of Jim Crowed in a school building set apart for Crowism was on parade rather than the Negro children. Be it remembered that rhythm of dancing feet this jim crow was dictated and directed

Journal and Guide
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FIGHT TO BAR NEGROES
AT ARMORY

(SPecial to Journal and Guide)
LUNCHBURG, Va.--National guard units in Lynchburg are waging a determined fight to bar the Negro from the City Armory of the store that permits Negroes to use the Armory would be a voilation to the state segregation laws. They sent resolutions to the City Council last week asking that body to pass a law barring Negroes from the Armory in the future.
The fight arose over the Council's five to two vote several weeks ago granting the use of the Armory to the Gamma Omega chapter of the Omega Psi Phi Franternity for a dance. The council granted the request on condition which would be agreeable to national guard units. National guard officers, who oppsed to use the armory by Negroes, drafted a set of resolutions in which they pointed out that the armory has but one set of facilities and that it would be contrary to racial segregation laws to allow Negroes to use these same facilities.
A representative group of Negroes attended the council meeting Tuesday of last week and protested against the action of guard officers. Attorney L. Carey, B. H. Scott, N. F. Berry, and J. W. Harper gave members of the military sworn to protect the citizens and uphold constitutional rights would request the council to enact discriminatory laws against one group of citizens.
But for the equal vigilance of negroes national guard officers might have won their point at Tuesday's session of the Council whether the armory will be available for Negroes in the future is not a settled question, because the council did not formally consider the resolutions.

The Same Old Fight

The Virginia State board of education has announced that it will no longer aid students in that State to get their medical education at Howard University and Meharry Medical College. The reason: The tuition fees at both Howard and Meharry medical schools are less than those at the University of Virginia, from which colored students have been barred.

But a Virginia student has other expenses at Howard and Meharry which he would not have at the University of Virginia.

1. He has car fare;
2. He has board and lodging away from home, while in many cases in Virginia he could live at home;
3. He is compelled to leave the borders of his own State where his taxes provide a State university and seek his education in institutions provided by other States or by the Federal Government.

Compelling a student to get his education outside of his home State has a nuisance value, and if the State insists upon drawing the color line illegally, it should be compelled to pay for it.

Maryland, which has a similar scholarship arrangement, recognizes this nuisance value and provides each student sent to outside universities with funds for two round-trip tickets, and adds an additional sum for board and lodging.

The action of the Virginia State board is illegal and should be attacked in the courts.

Discrimination-1938

Virginia. Scholarship Grants to Negroes.

Scholarship Aid

FROM a source deeply interested in the welfare of all citizens, white and colored, has come a most useful bit of information and advice regarding the scholarship aid provided by legislative act for Virginia Negroes seeking courses not available to them in the state.

It is pointed out that under the Scholarship Aid Act students do not have to apply to the University of Virginia—if they know in advance that the course they want is not offered at that institution, but is offered in some other tax-supported institution.

For instance, the University of Virginia turned down the application of a student who wanted to attend a school of social work, and school of library work. Again, another who wanted to attend a the Medical College of Virginia at Richmond turned down two students who applied after the quota for the freshman class had been filled.

It seems that applications must be made for courses exactly as offered at the University of Virginia. That is, if that college does not specifically offer work as you plan to take it elsewhere, apply in such a manner that this difference will not disqualify you for aid.

If William and Mary, state-supported. offers a course or maintains a school not at the University of Virginia, for example, application at W. and M. and not at the University of Virginia will validate the application.

Also, aid is dispensed only to the extent that there are accommodations for you if you did attend the state institution in Virginia; therefore, do not delay applying.

The president of the Medical College of Virginia has stated that he proposes to treat white and Negro applicants alike and urges that applications from Negroes be made before July 1.

Our students will be wise to remember these facts and act accordingly.